

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,)	File No. 15-49
)	(MJD/FLN)
Plaintiff,)	
)	
vs.)	Minneapolis, Minnesota
)	May 13, 2016
(2) Mohamed Abdihamid Farah,)	9:37 a.m.
(4) Abdirahman Yasin Daud,)	
(7) Guled Ali Omar,)	
)	<u>VOLUME IV</u>
Defendants.)	

BEFORE THE HONORABLE
MICHAEL J. DAVIS and a Jury
UNITED STATES DISTRICT COURT JUDGE

(JURY TRIAL)

Proceedings recorded by mechanical stenography;
transcript produced by computer.

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P R O C E E D I N G S

IN OPEN COURT

JURY PRESENT

THE COURT: Counsel, this witness has been on the stand for some time. I think we've had enough of a history lesson, so let's get to the points quickly so we can move on with this case. This is just historical background, and we can wrap this up fairly quickly.

Mr. Nestor, please continue.

Good morning.

THE WITNESS: Good morning.

THE COURT: You're still under oath. You may inquire.

MR. NESTOR: Thank you, Your Honor.

CROSS-EXAMINATION (Cont'd)

BY MR. NESTOR:

Q. Good morning, Mr. Lister.

A. Good morning.

Q. Yesterday we had concluded discussing some of your writings about some of the attempts of Islamic State to govern or run a state. Do you recall that?

A. Yes.

Q. Just to move on from that, it's my understanding that Islamic State produces thousands of propaganda videos, many that depict acts of violence and are very gory?

1 A. That's true, yes.

2 Q. And would you agree that not all of the propaganda
3 videos they produce depict or show acts of violence?

4 A. A small minority, yes.

5 Q. And you have viewed some videos in which people who
6 claim to be living in the Islamic State basically talk about
7 some of the aspects of governance that you had mentioned in
8 your writings?

9 A. That's true, yes.

10 Q. They talk about how roads are being built, how clinics
11 are being run, things like that?

12 A. Yes.

13 Q. And some of those videos also include excerpts from
14 international media such as CNN where CNN shows maybe, like,
15 gas being -- subsidized fuel being handed out for cooking
16 purposes?

17 A. I don't specifically recall, but it wouldn't surprise
18 me.

19 Q. And that's basically ISIS trying to manipulate or take
20 advantage of that and saying, look, we're not the only ones
21 saying this, CNN says it true too?

22 A. That's true, yes.

23 Q. Now, you are, in part of your work, you have spent a lot
24 of time interviewing people who have traveled to Syria to
25 fight. Is that right?

1 A. I have in the past, yes.

2 Q. And how many foreign fighters do you think have gone to
3 Syria, in total, from 2011 to 2015?

4 A. It's in the low -- I can't give a specific number, but I
5 certainly think, as far as U.S. government estimates have
6 given, it's in the low tens of thousands so perhaps 20,
7 30,000.

8 Q. And the vast majority of those are people from the
9 Middle East and North Africa?

10 A. I couldn't necessarily make an exact judgment of that
11 being vast majority but yes, a majority.

12 Q. And some come from Western Europe?

13 A. Yes.

14 Q. Some come from places in Russia. I think we talked
15 about Chechnya?

16 A. That's right, yes.

17 Q. And some come from the United States?

18 A. Yes.

19 Q. Do you have an estimate of how many in total have come
20 from the United States?

21 A. The figure that I recall is 200.

22 Q. Would that be -- the FBI maybe has published a figure of
23 250?

24 A. 250, yeah, that would be it.

25 Q. And have you -- how many of those foreign fighters who

traveled from the United States have you interviewed?

A. From the United States, none. I've interviewed Europeans.

Q. And how many people who have traveled to Syria to fight who come from a Somali community within the United States have you interviewed?

A. None so far as I'm aware, but that could be because they haven't identified themselves as such.

Q. Now, Mr. Lister, I'd like to show you a copy of your résumé. Is this a copy of the -- of -- it might be a little bit outdated, but this is your résumé prior to your current employment with the Middle East Institute?

A. Yeah, that's probably at least eight months old.

Q. Okay. And just to go back at least to the beginning on it, you indicated that from September 9 to July 10th, you obtained your degree from St. Andrews University in the United Kingdom?

A. Yes, although I can't see that but yes.

Q. That would be -- it would be, if I'm pointing to it right now, it says you're an analyst?

A. That was something I undertook while I was at university.

Q. Okay. And while -- while you were at the university, you worked with eminent -- well, I guess you did study of militant organizations and you worked under the leadership

of an academic in the field of international terrorism?

A. That's true, yes.

Q. Now, St. Andrew's University has close links to government and to government intelligence agencies in Western Europe and even in the United States?

A. I wasn't aware of that.

Q. Okay. Let me, is it some sort of kind of very left wing or liberal Scottish University or is it very much part of the academic of studying terrorist groups?

A. I've never called a university by a political leaning. It's just a university.

Q. Okay. Now, after that you went on to work for his Jane's Terrorism and Insurgency Center. Is that correct?

A. That is, yes.

Q. And I believe earlier you said that that's a private company, the bigger company is called his and it bought up Jane's?

A. That is true, yes.

Q. Okay. And one of the main things that this private company that you work for does is it produces analyses that are used by various other entities in the world. Is that right?

A. That is true, yes.

Q. And that includes private defense corporations?

A. I would think so, yes.

1 Q. And private -- large private corporations that have
2 investments around the world and want to understand what the
3 threat environment is for their business operations?

4 A. Yes.

5 Q. And then you were a visiting fellow at the Brookings
6 Doha Center which was, as you described, one of the
7 preeminent think tanks in the world?

8 A. The Brookings Institution is, yes, and the Brookings
9 Doha Center was their center in the Middle East.

10 Q. And that center was by a gift from the Qatari
11 government?

12 A. I don't know if I'd call it a gift but yes.

13 Q. A donation?

14 A. All think tanks in the Middle East rely on the fact that
15 the host government allows it to be there and partially or
16 fully funds their existence, yes.

17 Q. And that's a host government that has close military
18 ties with the United States?

19 A. Yes.

20 Q. And I believe at the bottom of your résumé you indicate
21 that you have provided consultant services and briefings to
22 a variety of intelligence services and government agencies
23 in the United Kingdom and the United States?

24 A. That's true, yes.

25 Q. And I believe your opinions are well respected and well

received by those various intelligence agencies valued?

A. I believe so.

Q. Mr. Lister, I'm showing you the title page of a document. Do you recognize that document?

A. I do.

Q. Policy briefing from August of 2015?

A. Yes.

Q. And the title of it is "Returning Foreign Fighters: Criminalization or Reintegration." Is that right?

A. That is correct.

Q. Is that a policy paper that you authored and was published under the auspices of the Brookings Institution in August of 2015?

A. Yes, it is, yes.

Q. And just to show you what I believe is a -- the credit page for that, does this appear to be the -- something that authors put at the beginning of a document?

A. Yes.

Q. And you indicate in this that as part of writing this, you had basically conversations and received input and feedback from a variety of other renowned and respected experts in the field of international terrorism?

A. That is true, yes.

Q. Do you recall in that document expressing any opinions as an expert on the various reasons that people might travel

1 to Syria when it's in the middle of conflict?

2 A. I can't recall specific phrases, no.

3 Q. I'm going to show you a paragraph and ask that if you
4 believe this is, indeed, your writing and your statement
5 that was in this document published in August of last year
6 titled, "Returning Foreign Fighters: Criminalization or
7 Reintegration."

8 A. I recognize it, yes.

9 Q. And those are your words; that "While many foreign
10 fighters may seek specifically to join Al-Qaeda or Islamic
11 State, others may have sought to protect civilians from
12 oppression or to join a perceived Islamic society." Those
13 are your words?

14 A. They are, yes.

15 Q. And you continue that "others may simply have been
16 motivated by adventure, while some may have traveled to
17 provide humanitarian assistance before slipping down the
18 militant slope." Those are your words?

19 A. Those are my words. They came within a broader context,
20 of course.

21 MR. NESTOR: Thank you, Mr. Lister. I have no
22 further questions. Thank you, Your Honor.

23 THE COURT: Thank you. Good morning.

24 MR. BRUDER: Good morning.

25 ///

CROSS-EXAMINATION

BY MR. BRUDER:

Q. Good morning, Mr. Lister. My name is Glenn Bruder, and I represent Guled Omar who is seated at the end of the table. I'd like to begin by going back to the very beginning of your testimony when you were giving us some information about your background. You received undergraduate and master's degrees from the University of St. Andrew?

A. Yes.

Q. At any time during the course of study there at St. Andrews did you take courses in the Arabic language?

A. Yes.

Q. And how long did you study Arabic?

A. For a year.

Q. Okay. So you've had one year of study in Arabic language?

A. And I'm studying it now but yes.

Q. All right. At any point during the course of your academic study did you take -- did you receive a degree in Islamic theology?

A. Not specifically in Islamic theology, no. There were aspects of certain courses that incorporated subjects like that.

Q. Okay. So to the extent that you've received any formal

1 education in Islamic theology, it's as an aspect of your
2 education, your degree in international relations?

3 A. Sorry, can you repeat that?

4 Q. So to the extent you've received any formal education in
5 Islamic theology, it is an aspect of the degree you received
6 in international relations?

7 A. Yes.

8 Q. Okay. And I believe you indicated earlier in your
9 testimony that you are not fluent in Arabic; that you can
10 read it but that you do not speak it. Is that correct?

11 A. Yes. I wouldn't call myself fluent.

12 Q. Okay. And when you were asked by the government to
13 define a series of Arabic terms, you were doing so within
14 the limits of that education and your ability, correct?

15 A. Yes, from probably eight years -- or six to eight years
16 of working on the subject, yes.

17 Q. Now, you mentioned that you're being paid by the
18 government \$415 per hour?

19 A. That's true, yes.

20 Q. Okay. I'm assuming that's not the hourly rate that
21 you're paid by the Middle East Institute?

22 A. No.

23 Q. And does that include your travel time?

24 A. My -- the travel is covered separately. Travel time, it
25 includes the time I spent on an airplane, yes.

1 Q. Thank you. Now, you indicated that as part of your
2 Track II process with regard to the somewhat dormant peace
3 negotiations, you facilitated dialogues between what I
4 believe are nongovernment organizations. Is that correct?

5 A. That is correct, yes.

6 Q. Okay. And that would also include individuals, correct?

7 A. Yes.

8 Q. All right. Now, with respect to your academic study,
9 that included, as I understand it, interviews with
10 individuals who were actually engaged in serving ISIS or
11 ISIL, correct?

12 A. Yes, but not face-to-face.

13 Q. Via social media?

14 A. Yes, or phone or whatever, yes.

15 Q. Okay. And there's nothing illegal about communicating
16 with individuals who are associated with ISIS via social
17 media, correct?

18 A. Not as far as I'm aware, no.

19 Q. Okay. Now, with regard -- let me back up for a second.
20 Have you interviewed, personally, anyone who has been
21 engaged on -- as a fighter with ISIS?

22 A. Personally means face-to-face.

23 Q. Correct.

24 A. No.

25 Q. You have not?

1 A. Not face-to-face, no.

2 Q. Is -- based on your experience and your study, is there
3 a particular profile that one would expect to see in a
4 foreign fighter joining ISIS?

5 A. I wouldn't say --

6 MR. DOCHERTY: Your Honor. Object as to
7 relevance.

8 THE COURT: Sustained.

9 BY MR. BRUDER:

10 Q. Did the individuals that you -- that you interviewed who
11 had been engaged on behalf of ISIS have certain
12 characteristics that you found uniformly common?

13 MR. DOCHERTY: Same objection.

14 THE COURT: Sustained.

15 BY MR. BRUDER:

16 Q. I think you -- your testimony was abundantly clear that
17 there are a number of groups that oppose the Assad regime,
18 correct?

19 A. Correct.

20 Q. And that number ranges anywhere, at various points in
21 time, from 80 to 1,500?

22 A. Depending on how you look at it, yes.

23 Q. Okay. And a handful of those groups, including ISIS,
24 have been designated by the U.S. government as foreign
25 terrorist organizations?

1 A. Yes, but none of the 80. When I use the term 80 within
2 a certain explanation, certain context, then none of the 80,
3 but beyond that, yes.

4 Q. Okay. So the 80 groups do not --

5 A. Designated terrorist organizations, no.

6 Q. Okay. So --

7 A. There is what I would term "opposition groups."

8 Q. Okay. And none of those are foreign terrorist
9 organizations?

10 A. No.

11 Q. And does that include --I'm going to have flip through
12 my notes quite a ways here to get that. You mentioned a
13 group yesterday that you are aware of that does incorporate
14 foreign fighters. What's the name of that group?

15 A. I believe you're referring to Ahrar al-Sham.

16 Q. Correct. And that is not a foreign terrorist
17 organization?

18 A. No, it isn't.

19 Q. Okay. Now I'm assuming that none of these 80 groups,
20 including ISIS or other foreign terrorist organizations,
21 publishes a roster of its membership. Is that a fair
22 statement?

23 A. That is a fair statement, yes.

24 Q. Okay. They are, in fact, secretive organizations?

25 A. I am not sure if you would necessarily have to call it

1 secretive. An opposition group just doesn't have a reason
2 to present a complete membership roster. Secret perhaps is
3 a bit of a stretch for all of them.

4 Q. Okay. But it -- they don't make any public disclosure
5 of their membership, correct?

6 A. No, not -- not the specifics.

7 Q. And so the only way that you could determine that a
8 specific individual is associated, say, with ISIS is if that
9 individual declares to you or on social media I am
10 associated with ISIS, correct?

11 A. Correct. Or if they appear in social media releases
12 affiliated with a certain group that -- all social media
13 releases, all videos from Syria released by groups have
14 group logos, including ISIS or ISIL, so that would be
15 another method of identifying.

16 Q. It would be fair to assume if you're in a ISIS video,
17 you probably are associated with ISIS, I understand that.

18 A. Yeah.

19 Q. And let's talk about these videos for a second. You
20 talk about them being available via social media. That
21 would include YouTube, right?

22 A. Yes. Although YouTube's generally been very effective
23 at pulling videos down, but more so at the time.

24 Q. Okay. But at least some of the videos that we're
25 talking about could have been accessed on YouTube, correct?

1 A. Yes.

2 Q. Okay. So it's not like there's some sort of secret
3 media platform that people are going to?

4 A. Not in all cases, although there have been some video
5 platforms developed that do allow a certain level of secrecy
6 and access only with passwords.

7 Q. Now, you indicated that among the groups, whatever
8 number it is, of opposition groups there are in Syria, some
9 of them, either directly or indirectly, receive aid from the
10 U.S. government, correct?

11 A. Correct.

12 Q. And that is presumably because the U.S. government
13 considers those groups' activities as advancing U.S. foreign
14 policy interests, correct?

15 A. As hoping to, yes.

16 Q. And the U.S. government's official position with respect
17 to the Assad regime is that it's time for them to leave,
18 correct?

19 A. Time for the Assad regime?

20 Q. Yes.

21 A. Yes, through a political solution.

22 Q. Now, in your interactions with individuals who have been
23 associated with ISIS, did you ever inquire as to the reasons
24 why they had chosen to join ISIS, to travel to Syria and
25 join ISIS?

1 A. Yes, from time to time.

2 Q. Okay. And I'm assuming that they provided you with a
3 variety of different reasons, correct?

4 A. Yes.

5 Q. And those are set forth in the quote that Mr. Nestor
6 just showed you, correct?

7 A. Broadly speaking. But not all but yes.

8 Q. Okay. And I'm assuming that in these conversations,
9 these individuals also told you that they had a variety of
10 different experiences during the time of their association
11 with ISIS. Also correct?

12 A. Yes, I assume so, yeah.

13 MR. BRUDER: Okay. And can I have just a minute?

14 THE COURT: You may.

15 BY MR. BRUDER:

16 Q. One of the books you wrote was entitled "The Islamic
17 State: A Brief Introduction." Correct?

18 A. Yes.

19 Q. And as part of that book, do you recall interviewing a
20 British fighter associated with ISIS named Abu Uthman
21 al-Britani?

22 A. I vaguely recall that, yes.

23 Q. Okay. And do you remember that Mr. Al-Britani told you
24 that, to be honest, it's like how you live in the west,
25 except you have a gun with you? At least that was his

1 experience?

2 A. Yes. He knew, of course, he was speaking to someone who
3 was then going to publish his words but yes.

4 Q. Okay. That was his experience though, correct?

5 A. That's what he told me his experience was, yes.

6 Q. Okay. Now, you testified, I think rather briefly, about
7 al-Shabaab. Do you recall commenting about al-Shabaab?

8 A. About their designation but nothing beyond that.

9 Q. Okay. Al-Shabaab is associated with Al-Qaeda. Is that
10 correct?

11 A. That is correct, yes.

12 Q. Okay. And at this point, at least as we stand here
13 today, ISIS and ISIL are no longer associated with Al-Qaeda,
14 correct?

15 A. Yes.

16 Q. Okay. So if an individual -- well, these are two
17 organizations, that is, al-Shabaab and ISIS, are two
18 organizations that are not in any way associated with one
19 another, correct?

20 A. So far as we know in open source information, yes.

21 Q. And to the extent that those two organizations would
22 ever interact with one another, they would be opposed to one
23 another?

24 A. Only so far as we know. There have been rumors that
25 ISIL is seeking to acquire al-Shabaab's pledge of

1 allegiance.

2 Q. Okay. You also briefly mentioned in your testimony an
3 area on the Syrian/Turkish border known as Kobanî. Is that
4 correct?

5 A. Yes.

6 Q. If somebody were to refer to westerners being killed in
7 Kobanî, do you have any idea what that reference might be
8 to?

9 A. Westerners being killed in Kobanî?

10 Q. Yes.

11 A. They would be ISIL fighters being killed, I assume.

12 Q. And so if -- because those are the only westerners who
13 are being killed in Kobanî are ISIL fighters from abroad,
14 correct?

15 A. Yes. Some westerners have joined but more recently the
16 Kurdish malitia I spoke about yesterday, but I don't believe
17 that any westerners had joined this Kurdish malitia by the
18 time of the battle of Kobanî.

19 Q. Okay. Now, earlier you said that on social media
20 pictorial depictions of lions could be an indication that
21 somebody was associated or a supporter of ISIS. Is that
22 what you said?

23 A. No, I don't think that was what I said. I think I was
24 asked if I saw a potential ISIL supporter online and they
25 had lions on Facebook or profile pages would I be surprised,

1 and I said no. I certainly wouldn't see a lion by itself
2 and think you were an ISIL supporter, no.

3 Q. And that was obviously my question. I don't know what
4 publicity it got on the east coast or in Great Britain, but
5 you're familiar with the lion Cecil that was killed in
6 Africa, correct?

7 A. I am, yes.

8 Q. So lots of people put up pictures of Cecil and other
9 lions on their Facebook pages; It doesn't mean they're all
10 interested in joining ISIS, right?

11 A. Not by itself, no.

12 Q. Okay. Now, I'm a little bit confused, and maybe you can
13 clarify this for me. Is ISIS the only group that
14 has -- only opposition group in Syria that has used social
15 media to promote its activities?

16 A. Well, first of all, I wouldn't call ISIL an opposition
17 group. But second of all, no. If you're talking about
18 armed groups in Syria all together, certainly not. It is
19 not the only group that has used social media.

20 Q. And, in fact, is it -- is -- do sometimes people who are
21 not associated with ISIS or ISIL lift portions of their
22 promotional videos and incorporate them into other videos
23 that they've put on Facebook or YouTube or something like
24 that?

25 A. Are you talking about supporters or members?

1 Q. I'm talking about anyone.

2 A. Supporters, yes. You wouldn't find a member of any
3 armed group lifting footage from other groups in their own
4 videos, no.

5 Q. All right. Well, and, in fact, you told me that,
6 generally speaking, ISIS attempts to restrict or limit its
7 members' access to social media, correct?

8 A. More recently, since mid 2015 onwards I would guess.

9 Q. So there is a possibility that some of the -- these ISIS
10 videos, that is, snippets of some of these ISIS videos, are
11 lifted by others and incorporated into yet other productions
12 that are made available on social media?

13 A. That's possible, yes.

14 Q. Okay. ISIS doesn't recruit individuals exclusively
15 because of their combat skills from abroad. Isn't that
16 correct?

17 A. That's true, yes.

18 MR. BRUDER: I have no further questions. Thank
19 you.

20 **REDIRECT EXAMINATION**

21 BY MR. DOCHERTY:

22 Q. Mr. Lister, just a few things that I want to revisit.
23 The United States government is giving aid to a certain
24 number of armed opposition groups. Is that correct?

25 A. That's true, yes.

1 Q. And you -- what are the standards that the U.S.
2 government applies before aid will be given to an armed
3 opposition group?

4 A. The process is not reported, but from what I'm aware of,
5 having spoken to groups who have gone through the process,
6 the vetting process is very in depth, and every individual
7 on the senior level, their histories are vetted, their
8 families are vetted, their historical, like, work experience
9 or military history is vetted.

10 Then the organization is studied. The groups have
11 to provide a detailed list of members, the makeup, the
12 specific organization of the group, how many specific
13 brigades and units that they are composed of.

14 Then, often, very often, a certain number of these
15 individuals within the leadership are taken into a foreign
16 country and interviewed at length. Once that has passed --
17 this vetting process takes months. It's -- it's not a fast
18 process. And by the time it's finished, it then takes
19 months before the U.S., it basically gives a green light for
20 the regional governments who support the opposition to start
21 providing lethal assistance, meaning weaponry.

22 Q. Has Ahrar al-sham gone through this process?

23 A. Definitely not, no.

24 Q. All right. And tell us, please, which groups in Syria
25 accept foreign fighters? You don't need to list every

1 group, but which sorts of groups?

2 A. Well, the sort of group like Ahrar al-sham would be the
3 most likely candidate and certainly the biggest. There are
4 small occasions of other groups. I believe another big
5 group called Jaish al-Islam has a very small number of
6 foreign fighters. But it's a rare occurrence, and it's
7 increasingly rare.

8 Q. So outside of ISIL and groups affiliated with Al-Qaeda,
9 are -- I guess the bottom line, are there any groups in
10 Syria that accept foreign fighters and have gone through
11 this vetting process?

12 A. Definitely not, no.

13 Q. And you say that with some emphasis. Where is the
14 emphasis coming from?

15 A. There would be -- well, first of all, there would be
16 significant resistance from the U.S., mostly because of the
17 implications. The insistence is these opposition groups who
18 could theoretically receive assistance from the U.S. and its
19 allies should be devoted solely to the Syrian cause and no
20 further. And all governments across the western world and
21 probably further afield see no value in having foreigners on
22 the ground fighting within these organizations. If the
23 conflict ends one day, there is always a fear that those
24 foreign individuals will have set up kind of life in Syria
25 and won't want to leave. So yes, I would be extremely

surprised if there were any foreigners within those groups.

Q. You were asked about, by Mr. Bruder, about a United Kingdom citizen last name of al-Britani and an interview that you did with him?

A. Yes.

Q. But Mr. Al-Britani is not one of the defendants in this case, is he? Just to be obvious about it.

A. No, he's not.

Q. Okay. Yesterday there was testimony about the lull in fighting against the Assad regime by ISIL, and correct me if I'm wrong, your testimony was that that extended from August of 2013 until late July of 2014. Is that accurate?

A. Yes. With few rare exceptions but yes.

Q. And after that ISIL resumed fighting against the Assad regime?

A. It did.

Q. Did it stop fighting against the opposition groups?

A. Nope, it continued.

Q. So really the fighting against opposition groups has been continuous while ISIL has been in Syria?

A. Yes.

Q. All right. And is it -- I mean, personally, you, are you anti the Assad regime?

A. On a personal level, yes.

Q. And anti-ISIL?

1 A. Yes.

2 Q. And you don't see those as contradictory positions?

3 A. Not at all.

4 Q. All right. You were asked about a paper that you had
5 written on foreign fighters that was published last year?

6 A. Yes.

7 Q. And there was a quotation that was put up on the
8 document camera about the varying motivations that people
9 have for going to Syria. And you indicated that this was
10 part of a broader context, but the broader context was not
11 brought out, so I'll invite you to do that at this time.

12 A. Sure.

13 Q. What was the context of that quotation?

14 A. I mean, the broader context of the paper as a whole, I
15 made a very clear point. The paper was seeking to address
16 the challenge of returning foreign fighters coming back to
17 the west. And I predicated my entire argument in that paper
18 on the basis of if there is evidence to suggest and then
19 that is then brought to court and, you know, proceeded to
20 the end of any individuals having broken the law, and I
21 think I believe I defined that by joining a terrorist
22 organization, committing acts of murder or war crimes, etc.,
23 etc., if those individuals have evidence against them for
24 that, they should be criminalized and brought to justice and
25 brought to court and trial. If there is no evidence at all

1 to suggest they've been involved in any of that, then there
2 has to be necessarily a process of -- an alternative process
3 of trying to find these individuals a way back into society.

4 Q. And that reintegration for people who have not committed
5 crimes would necessarily factor in the motivations that
6 brought them to Syria in the first place?

7 A. The rehabilitation would have to, yes. Numerous western
8 governments have attempted to use psychologists and
9 counselors to address the reasons for why a foreign fighter
10 may have traveled if they come back and haven't committed
11 crimes.

12 Q. And then the last area that I want to cover is that
13 Mr. Nestor concluded his cross-examination of you by asking
14 questions about the political leanings of St. Andrew's, the
15 university that you attended, and different organizations
16 that you have worked for. How long have you been -- how
17 long has it been since you graduated from the university?

18 A. I --

19 Q. I don't mean to embarrass you.

20 A. I need my CV for that. Yes, six years perhaps.

21 Q. And in those six years you've had a number of jobs
22 related to Syria?

23 A. Yes.

24 Q. And you've published about Syria?

25 A. I have.

1 Q. Spoken about Syria?

2 A. Yes.

3 Q. And at any time has your -- any of the employers that
4 you have had, Brookings, Middle East Institute, Jane's, any
5 of these, have you ever been pressured to change your
6 opinions to suit the company line?

7 A. Never once, no.

8 Q. At the think tanks that you've worked for, have you ever
9 been pressured to say what you're saying or what you're
10 writing to suit some big donor?

11 A. Never, no.

12 MR. DOCHERTY: That's all the questions I have,
13 Your Honor.

14 THE COURT: Before you step down, I don't want you
15 to leave an impression, give me your impression about the
16 United States government's vetting process of Syrian
17 fighters. My -- my impression is it has been a huge
18 failure.

19 THE WITNESS: It depends which of the programs.
20 The Central Intelligence Agency's vetting process has been,
21 in my personal opinion, remarkably successful. The much
22 more publicized vetting process was the U.S. military by
23 Central Command which was a spectacular failure. That was
24 because they were demanding Syrians to stop fighting the
25 regime and only to fight ISIL. Syria -- the vast majority

1 of Syrians today, their more immediate priority is to fight
2 against the regime or rather to defend against the regime,
3 and that explains why that latter vetting process failed so
4 successfully -- and so spectacularly.

5 THE COURT: It's about \$2 million per?

6 THE WITNESS: It was extremely -- it was a lot of
7 money, \$500 million, and I think they have 25 fighters.

8 THE COURT: Now, dealing with the CIA, tell me a
9 little bit about that.

10 THE WITNESS: That was the process that I just
11 explained.

12 THE COURT: I know. But why would that process be
13 different than the military?

14 THE WITNESS: Because the Central Intelligence
15 Agency has devoted its vetting process towards defending and
16 fighting against the Assad regime. That is what, as I say,
17 the vast majority of Syrians are devoting and will continue
18 to devote their resources to doing. The vetting process has
19 been necessarily strict enough to ensure that it has
20 acquired reliable partners. Unfortunately, the Central
21 Command, U.S. military process, because of those kinds of
22 political demands it was putting on its prospective
23 recruits, it really, in my opinion, acquired only largely
24 corrupt individuals who were willing to sign on to something
25 without actually meaning it.

THE COURT: Why would there be two different policies within the same government?

THE WITNESS: I have no idea.

THE COURT: Okay. You may step down.

THE WITNESS: Thank you.

THE COURT: Call your next witness.

MR. DOCHERTY: Your Honor, the United States calls Abdullahi Yusuf.

(The witness is sworn.)

THE WITNESS: Abdullahi Yusuf. A-B-D-U-L-L-A-H-I. Yusuf, Y-U-S-U-F.

THE COURT: You may inquire.

DIRECT EXAMINATION

BY MR. DOCHERTY:

Q. Good morning, Mr. Yusuf.

A. Good morning.

Q. I want to start by having you introduce yourself to the jury. Can you tell them what city and state is your hometown?

A. Minneapolis, Minnesota.

Q. Were you born in Minneapolis, Minnesota?

A. I was not, sir.

Q. Could you tell the jury, please, where you were born?

A. Nairobi, Kenya.

Q. Are you -- you said you were born in Nairobi, Kenya.

1 Are you Kenyan?

2 A. No.

3 Q. By ethnicity?

4 A. Yes.

5 Q. What is your --

6 A. Somali actually.

7 Q. All right. So why were you of a Somali ethnicity born
8 in the country of Kenya?

9 A. I guess the Civil War in my country back home in
10 Somalia.

11 Q. Were you a refugee in Kenya?

12 A. Yes.

13 Q. And did and your family eventually resettle in the
14 United States?

15 A. Yes.

16 Q. All right. How -- when was it that you and your family
17 moved here to America?

18 A. September 1999.

19 Q. And when you came to America, where did you -- what city
20 and state did you and your family go to?

21 A. Minneapolis, Minnesota.

22 Q. And you've been here ever since?

23 A. Yes, sir.

24 Q. Okay. Are you a citizen of the United States?

25 A. I am.

1 Q. And why was it that you moved from Kenya to the United
2 States?

3 A. Better living arrangements.

4 Q. Opportunities?

5 A. Yes, sir.

6 Q. Do you have any brothers and sisters?

7 A. I have one older brother, sir.

8 Q. And are both your parents still living?

9 A. They are, sir.

10 Q. And tell the jury, what do your parents do for a living?

11 A. My dad is a truck driver. My mother doesn't work.

12 Q. Outside the home at least?

13 A. Yeah.

14 Q. Inside the home, I imagine --

15 A. Yeah.

16 Q. -- she's busy.

17 A. Yeah.

18 Q. Okay. Besides your real name, Abdullahi Yusuf, do you
19 have any nicknames?

20 A. Some friends call me Bones.

21 Q. And why -- where does that -- where does that nickname
22 come from?

23 A. I'm a really skinny person, so I guess that's why they
24 call me Bones.

25 Q. Okay. How tall are you?

1 A. Six-four.

2 Q. Okay. Do you play basketball?

3 A. I used to, yes.

4 Q. Not currently?

5 A. No.

6 Q. All right. And how far have you gone in school?

7 A. All the way to the 12th grade, sir.

8 Q. Have you finished high school?

9 A. No.

10 Q. How close are you to finishing high school?

11 A. I didn't graduate on time. I have three credits left.

12 Q. What was it that caused you to stop high school?

13 A. I was planning on leaving the country before I graduated
14 high school.

15 Q. When you left the country, where were you going to go?

16 A. Syria.

17 Q. Let's talk about that last year in high school,
18 beginning with the schools that you attended. When
19 the -- what -- if you graduated on time, when would you have
20 graduated?

21 A. June 2014.

22 Q. Okay. So let's talk about the academic year 2013-2014.

23 A. Okay.

24 Q. Well, actually, let's go before that. Where had you
25 gone up to your senior year in high school?

1 A. I went to three different schools.

2 Q. Okay.

3 A. Simley High School in Inver Grove Heights, MTS High
4 School in Minneapolis, and Heritage High School in
5 Minneapolis.

6 Q. And those were during your senior year, correct?

7 A. Yes.

8 Q. And before your senior year, had you gone to a different
9 high school?

10 A. I went to Burnsville High School.

11 Q. And what years did you go to Burnsville?

12 A. Ninth, tenth, and eleventh.

13 Q. What caused you to move from Burnsville to did you say
14 Simley?

15 A. Yeah.

16 Q. And that's in Inver Grove Heights, isn't it?

17 A. It is, sir.

18 Q. Okay. So what caused you to go to -- excuse me, from
19 Burnsville to Simley?

20 A. My family moved to Inver Grove Heights, so it was a long
21 drive to go back to Burnsville every day.

22 Q. And so you started your senior year at Simley in Inver
23 Grove Heights?

24 A. Yes, sir.

25 Q. And how long do you stay at Simley?

1 A. About a month.

2 Q. Where did you go after Simley?

3 A. MTS High School in Minneapolis.

4 Q. And what -- and MTS, do you know -- do you know what
5 those initials stand for?

6 A. Minnesota Transition Schools.

7 Q. Okay. What kind of a school is Minnesota Transition
8 School?

9 A. It's for students who are behind in school who are
10 trying to make up credits.

11 Q. How long had you gone to Simley before you transitioned
12 over to Minnesota Transition School?

13 A. About a month.

14 Q. Only about a month?

15 A. Yeah.

16 Q. Okay. Can you tell the jury what caused that switch?

17 A. I was behind in school. I didn't take school seriously,
18 and I wanted to graduate my senior year. I had a friend
19 going to MTS at the time, Hanad Mohallim. It was an easy
20 transition, so I wanted to make up credits and graduate.

21 Q. Could you have made up the credits and graduated by
22 staying at Simley?

23 A. No.

24 Q. Were you told that by Simley?

25 A. Yes.

1 Q. And how long, then, did you go to MTS after your month
2 at Simley?

3 A. I want to say October till April.

4 Q. So April is pretty close to the end of the school year,
5 isn't it?

6 A. It is.

7 Q. All right. Why did you stop going to MTS in April of
8 2014 was it?

9 A. Yes.

10 Q. Okay. What -- why'd you stop in April of 2014 and maybe
11 a month or two from graduation?

12 A. I showed up at school one day and they said this school
13 is closed. That's the explanation they gave us. They
14 didn't really give more.

15 Q. MTS, was it a charter school?

16 A. It was.

17 Q. Okay. And so when you showed up one day and the lights
18 were off and the doors were closed, where did you go next?

19 A. Heritage Academy in southeast Minneapolis.

20 Q. Okay. And how were you able to get into Heritage
21 Academy so close to the end of the school year?

22 A. My father knew the principal there. It's an all Somali
23 school. And I had no other options that late in the school
24 year, so that's where I had to go.

25 Q. And but you did not graduate from Heritage. Is that

1 correct?

2 A. I did not.

3 Q. All right. And did all this changing of schools have
4 something to do with the fact that you did not graduate?

5 A. Yes.

6 Q. Can you tell us what the -- what -- what the cause and
7 effect was there?

8 A. The credit systems are different in each district, so
9 due to all the switching around, some credits didn't
10 transfer, some classes didn't count.

11 Q. Now, presently, you are not living at home with your
12 family, are you?

13 A. I am not.

14 Q. Okay. Where did you spend, for example, last night?

15 A. Anoka County Jail.

16 Q. And are you in jail because you've pleaded guilty to
17 committing a crime?

18 A. Yes, sir.

19 Q. Tell the jury, please, what crime you pleaded guilty to
20 committing.

21 A. Conspiracy to provide material support to a terrorist
22 organization.

23 Q. And which terrorist organization was that?

24 A. ISIL.

25 Q. Do you know what ISIL stands for?

1 A. Islamic State Iraq Levinant.

2 Q. Could it be Levant?

3 A. Levant.

4 Q. And when you pleaded guilty, that was in federal court
5 here in Minnesota?

6 A. It was.

7 Q. Did you have a written plea agreement?

8 A. I --

9 Q. -- that you signed off on?

10 A. I did.

11 Q. And did you also have a supplement to that plea
12 agreement about cooperation?

13 A. I did.

14 Q. I want to talk to you for a couple of minutes about
15 those -- about those documents. So this is page 1, and it's
16 called the caption of the case, United States of America
17 versus Abdullahi Mohamud Yusuf. That's you, right?

18 A. Yes, sir.

19 Q. And in this document, you agree to plead guilty to
20 conspiring to provide, as you've said, material support and
21 resources to members of the Islamic State of Iraq and the
22 Levant. Correct?

23 A. Correct.

24 Q. This is the last page of that document, dated
25 February 26th of 2015. And there's a number of signatures

on there, correct?

A. There are.

Q. Do you see your signature on there?

A. I do.

Q. Can you, if you use your finger, you can make a mark on that TV screen beside you. Can you indicate with a checkmark where your signature is for the jury?

A. Right there.

Q. And then below do you recognize the names of Manvir Atwal and Jean Brandl?

A. I do.

Q. Who are they?

A. My attorneys.

Q. They represent you?

A. Yes.

Q. Now, this is a supplement to the plea agreement, correct?

A. Yes.

Q. And this talks about the fact, in paragraph No. 1, that you have agreed to cooperate with law enforcement authorities regarding the prosecution of certain of your co-conspirators and in the investigation and prosecution of other suspects. Did I read that first sentence correctly?

A. Yes.

Q. And is your testimony here today pursuant to that or is

1 it part of that cooperation agreement between you and the
2 United States government?

3 A. Yes, sir.

4 Q. Why did you enter into a cooperation agreement instead
5 of just pleading guilty and being done with it?

6 A. I wanted to. What I was doing was not right. I wanted
7 to cooperate because you guys, the U.S. attorney's, can file
8 a motion to Judge Davis if I do, if I tell the truthful
9 information and testify correctly.

10 Q. And what will -- and let's talk about that. Going back
11 to the plea agreement, and looking at paragraph 7 there,
12 it's called "Discretion of the Court." Is that correct?

13 A. Correct.

14 Q. And that says that the parties understand the Sentencing
15 Guidelines are advisory, their application is a matter that
16 falls solely within the Court's discretion. Correct?

17 A. Correct.

18 Q. And that's on page 5. Turning it over to page 6, who is
19 it up to determine what your sentence ultimately is going to
20 be?

21 A. Judge Davis.

22 Q. And you understand that does Judge -- if we do file any
23 motion, does Judge Davis have to accept it?

24 A. He does not.

25 Q. Does Judge Davis have to follow any recommendation we

1 make in any motion we file?

2 A. He does not.

3 Q. If we don't file a motion, does Judge Davis still have
4 the authority to sentence you any way he believes suitable?

5 A. He does.

6 Q. And if we do file a motion, does that change things at
7 all?

8 A. It could. It could not.

9 Q. So you understand the final decision on your sentence is
10 that man in the black robe seated to your right?

11 A. I do.

12 Q. Also as part of your cooperation, you met with FBI
13 agents and federal prosecutors. Is that correct?

14 A. That's correct.

15 Q. And in those meetings were you asked questions about
16 your criminal activities?

17 A. I was.

18 Q. And the activities of other people as well?

19 A. I was.

20 Q. And there were several such meetings, were there not?

21 A. There were.

22 Q. There were many such meetings, in fact?

23 A. There were.

24 Q. And some of those meetings concerned people who are on
25 trial here today and others concerned other matters. Is

that an accurate statement?

A. That's correct.

Q. When was it, Mr. Yusuf, that you first began these meetings with FBI agents and with me and with my colleagues? Just the -- you don't need the exact date but just the month and the year, if you could.

A. January 2015.

Q. When you came to see us in January of 2015, you understood that you had to tell the truth. Correct?

A. Correct.

Q. And you had to tell everything you knew. Correct?

A. Correct.

Q. All right. Did you do that in January of 2015?

A. I did not.

Q. I want to give you a couple of examples of that. You're going to be testifying here today about being part of a group that was planning to go to Syria in the spring of 2014. Is that right?

A. Correct.

Q. And in these January of 2015 meetings, did you tell us some things about the spring of 2014?

A. I did.

Q. Did you later, after some time away, did you later rejoin this group in the fall of 2014?

A. I did.

1 Q. Did you tell us about that in January?

2 A. I did not.

3 Q. You withheld that information?

4 A. I did, sir.

5 Q. Even though you knew that you were supposed to tell us
6 about it?

7 A. I did.

8 Q. All right. And also did you identify everyone who was
9 in on the plans, and I'm talking now about the spring, the
10 spring of 2014, did you identify everyone who was in on the
11 plans to go to Syria or did you keep some names back?

12 A. I kept some names back.

13 Q. And, for example, in January and February -- well,
14 there's going to be some testimony, I believe, later in your
15 direct examination about going to Syria, trying to go to
16 Syria, and obviously you didn't get there, and you wrote
17 some phone numbers on your arm. Do you know what I'm
18 referring to?

19 A. I do, sir.

20 Q. And back in January, did you tell us who it was you got
21 those phone numbers from?

22 A. I did not.

23 Q. Did you also just tell us things that were not true in
24 January of 2015?

25 A. I did.

1 Q. So, for example, when we asked you whether this group
2 had a leader in January of 2015, what did you say?

3 A. The group did not.

4 Q. All right. Was that the truth?

5 A. It was not.

6 Q. The group did have a leader?

7 A. They did.

8 Q. And later on you identified that leader. Is that
9 correct?

10 A. I did.

11 Q. Back in January, and I believe one time in February of
12 2015, why was -- why did you do this? Why did you withhold
13 information and why did you tell us things that weren't
14 true?

15 A. I wanted to cover for my former friends. I didn't want
16 them to go to prison for life. And I knew there were people
17 back from the community that didn't go ten toes in.

18 Q. What do you mean by the phrase "ten toes in"?

19 A. That didn't cooperate fully.

20 Q. You weren't fully committed to it?

21 A. I was not.

22 Q. You said you wanted to cover for your former friends?

23 A. Yes.

24 Q. Were you willing to accept the responsibility for what
25 you yourself had done?

1 A. I was.

2 Q. And your former friends, you see the three men who are
3 on trial here today, are they among the former friends?

4 A. They are.

5 Q. You were covering for them?

6 A. I was.

7 Q. Did their come a time, though, when you were confronted
8 about your behavior and specifically at that, I mean your
9 behavior in these meetings with the FBI and the assistant
10 U.S. attorney?

11 A. I was.

12 Q. And how did you respond to being confronted about this?

13 A. I decided to come clean.

14 Q. And why'd you make that decision?

15 A. It was the right thing to do. I couldn't cover for my
16 former friends anymore.

17 Q. Why not?

18 A. I had to think for myself.

19 THE COURT: You have to speak into that microphone
20 so I can hear you.

21 THE WITNESS: What I was doing wasn't right, and I
22 had to think for myself for once.

23 BY MR. DOCHERTY:

24 Q. And at that time, were you -- well, and before you
25 testified here today, you and I have met, correct?

1 A. Correct.

2 Q. And some of those meetings were trying to learn new
3 material, new things from you, correct?

4 A. Correct.

5 Q. Who did what, when they did it, who was involved, right?

6 A. Right.

7 Q. And other times we've more, particularly in the few
8 weeks leading up to this trial, we've met to talk about
9 things we've already covered. Is that correct?

10 A. Correct.

11 MR. DOCHERTY: One moment, Your Honor, please.

12 BY MR. DOCHERTY:

13 Q. Mr. Yusuf, I've just handed you a one-page document.
14 It's marked for identification as Government's Exhibit 16.
15 Does that appear to you to be a map of the city of
16 Minneapolis?

17 A. It does, sir.

18 Q. And in the meetings that we had, one of the meetings
19 that we had, leading up to this trial, did you look at
20 Government Exhibit -- what's now Government Exhibit 16?

21 A. I did, sir.

22 Q. And you've gone to school in Minneapolis?

23 A. Yes, sir.

24 Q. You know the city of Minneapolis?

25 A. I do.

1 Q. Was that an accurate map? Were you asked to find things
2 on it and could you do so?

3 A. I did.

4 MR. DOCHERTY: Move the admission, Your Honor, of
5 Government Exhibit 16.

6 MR. MOHAMED: No objection.

7 MR. BRUDER: I don't think I have an objection.
8 It's not on the screen but no objection.

9 THE COURT: Be admitted. 16 is admitted.

10 (Government Exhibit No. 16 is received.)

11 BY MR. DOCHERTY:

12 Q. Mr. Yusuf, as we talk about the events of this 2013,
13 2014, from time to time the map will appear on the TV screen
14 beside you and I'm going to ask you where certain things
15 are, and you can just keep Exhibit 16 up there until then.

16 Let's go back, though, to your academic life in
17 2013, 2014. And let's start by talking about your time at
18 Simley High School. In -- when the school year -- your
19 senior year started, any way you think is appropriate, tell
20 us what you knew about Syria and what was going on in Syria
21 at the outset of the school year.

22 A. I didn't know anything about Syria.

23 Q. You'd heard of Syria?

24 A. Yes.

25 Q. Could probably find it on a map?

1 A. Yes.

2 Q. Did you know who the president of Syria was?

3 A. I did not.

4 Q. Anything really, any detail about Syria?

5 A. I do not.

6 Q. Did that change, though, as the school year went on?

7 A. It changed.

8 Q. All right. Tell the jury what it was that caused you to
9 start learning about events in Syria.

10 A. One day in class, everyone got assigned a different
11 country to write about, and I got Syria, and right away I
12 got interested in the Syrian conflict and what was going on
13 over there for the rest of the world, so I kept up with what
14 was going on.

15 Q. And what was this assignment, your teacher -- what class
16 was it for?

17 A. History.

18 Q. And your history teacher, what was the assignment? Do
19 you have to write a paper or just study up and talk about it
20 or what?

21 A. Study up, talk about it. You were supposed to write
22 a -- present a PowerPoint on it.

23 Q. Okay.

24 A. So --

25 Q. And were you still at Simley when the PowerPoint was due

1 or had you moved to MTS by then?

2 A. I had moved to MTS by then.

3 Q. But you got interested in the subject?

4 A. I did.

5 Q. Okay. Tell us what -- not by specifics, but by
6 category, what types of sources did you use to learn about
7 Syria?

8 A. Regular mainstream news outlets, YouTube channels such
9 as VICE, Frontline, those type of channels.

10 Q. Okay. And what was that you got -- what was it that
11 piqued your interest about Syria? Why did you -- when you
12 got this -- I mean, when some students, they get an
13 assignment, it's just work, you've got to do it. It sounds
14 like this wasn't just work for you. What was it that
15 grabbed you about Syria?

16 A. All of the atrocities that were going on during the
17 Syrian conflict, the rest of the international community was
18 keeping an eye on it too, and I found what was going on
19 there wrong. It was --

20 Q. Okay. Did you learn who the president of Syria was?

21 A. I did.

22 Q. Who's the president of Syria?

23 A. Bashar al-Assad.

24 Q. And what did you learn about Bashar al-Assad in the
25 course of preparing your PowerPoint for your history class

at Simley High School?

A. I learned that he was president of Syria, the Syrian rebels were trying to overthrow the government and he was not allowing it, he was bombing innocent civilians. Those are some of the things that I learned.

Q. And what was your reaction to learning about the way the President Assad was fighting against the Syrian rebels?

A. I found it shocking.

Q. Shocking?

A. Yeah.

Q. Okay. Can you expand on that a little bit, please?

A. I don't think a government is supposed to bomb its own people so.

Q. Okay. After you left Simley and went to Minnesota Transition School, did you remain interested in Syria?

A. I did.

Q. Did you continue to keep up with it?

A. I did.

Q. All right. And what sources were you using to keep up with Syria after you trans -- after you moved over to MTS?

A. The same sources, mostly just CNN, regular mainstream news outlets, and VICE.

Q. Were you active on Facebook at the time?

A. I was.

Q. And did you get so worked up about Bashar al-Assad that

1 at one point you made a Facebook post?

2 A. I did.

3 Q. Okay. And what's that Facebook post say?

4 A. I believe I said Bashar al-Assad doesn't deserve to
5 live.

6 Q. And you believed that at the time?

7 A. I did.

8 Q. Okay. When you -- let's shift now away from Simley in
9 Inver Grove Heights and over to MTS in the city of
10 Minneapolis. Did you have friends at MTS?

11 A. I did.

12 Q. Okay. Did you -- I want to ask you about one friend in
13 particular, a young man named Hanad Mohallim. Do you
14 remember him?

15 A. I do.

16 Q. Okay. Had you known Hanad Mohallim before you went to
17 MTS?

18 A. I did.

19 Q. Okay. And give the jury an idea of how well you'd known
20 him. I mean how long had you known him? How frequently did
21 you see him? Did he come to your house? Did you go to his
22 house? What activities did you do? Just sketch out that
23 friendship for these men and women, if you would, please.

24 A. I have known him since the ninth grade, so I knew him
25 three years before that. We went to Burnsville High School

1 together. We used to hang out a lot. We were close
2 friends. We used to play basketball together, hang out
3 after school.

4 Q. Okay. How good of a friend were you -- how good of
5 friends were you and Hanad Mohallim?

6 A. He was my best friend.

7 Q. Was it a part -- you know, when you -- when you had to
8 leave Simley, I imagine there were different schools that
9 you might have been able to go to?

10 A. Yeah.

11 Q. Okay. And what part did the fact that Hanad Mohallim
12 was already at MTS, what part did that fact play in you
13 being accepting of going to MTS instead of continuing at
14 Simley?

15 A. It played a factor in it. Obviously I knew someone who
16 was going there, it was working out for him, and it seemed
17 like the right place to go to at the time.

18 Q. I want to talk about not your friendship with Hanad
19 Mohallim but about what kind of person Hanad Mohallim was.
20 And I want to separate this. I want to talk about before
21 November of 2013 and I want to talk about after. So let's
22 talk about before November of 2013, give us an idea of what
23 kind of a guy Hanad was.

24 A. Before?

25 Q. Before.

1 A. 2013?

2 Q. Before 2013.

3 A. He was -- he was a regular teenager, outgoing, funny,
4 active on social media, kept up with the latest fashion
5 trends. He was athletic. That's how I would describe him.

6 Q. Did he have girlfriends?

7 A. I don't remember.

8 Q. Okay. All right. Fair enough. I didn't mean to ask
9 about a sensitive topic. And you described him as kept up
10 with the latest fashions. So what do you mean by that? A
11 bit of a clotheshorse?

12 A. Yeah, he liked to shop, shop for new shoes, get the new
13 shoes.

14 Q. All right. What sports did he like?

15 A. Basketball, football.

16 Q. And then when you got to MTS it was, remind me, October
17 of 2013?

18 A. Yeah.

19 Q. Okay. And when you got to MTS and you met Hanad again,
20 was he the same guy you had known -- you've just described?

21 A. No, he was not.

22 Q. He was different?

23 A. He was.

24 Q. Tell the jury what was different about Hanad in -- when
25 you met him at MTS.

1 A. He was a lot more religious in the fall of 2013 than the
2 last time I saw him.

3 Q. Okay. Did he still like sports?

4 A. Yeah.

5 Q. All right. Was he still talkative and outgoing and have
6 a lot of friends?

7 A. He was not.

8 Q. All right. Why -- what was he instead?

9 A. He was a lot more reserved, a lot more religious.

10 Q. Serious guy?

11 A. Serious.

12 Q. Was he still doing a lot of shopping?

13 A. No.

14 Q. All right. So no longer keeping up with the latest
15 fashions?

16 A. He was not.

17 Q. All right. Did he still have lots of friends?

18 A. He cut down on a lot of his friends.

19 Q. How -- how drastically did he cut down?

20 A. Pretty drastic, I would say. Didn't hang out with
21 anyone after school.

22 Q. Okay. Did he have an attitude?

23 A. I guess some people would say that, yeah.

24 Q. Okay. What kind -- some people might say that he had
25 what kind of an attitude?

1 A. Not as friendly, not as outgoing. Some would describe
2 him like that.

3 Q. Mr. Yusuf, I've just put beside you on the podium two
4 exhibits. One is Government Exhibit No. 13 in evidence, and
5 the other one is Government Exhibit 94 which is just marked
6 for identification at this point. Just take a look at those
7 photographs, see if you recognize the person in them, and
8 just indicate to me when you're ready to resume the question
9 and answer.

10 A. Yeah, that's Hanad Mohallim.

11 Q. And looking, then, at Government Exhibit 13, is that
12 your best friend, Hanad Mohallim?

13 A. That is.

14 Q. And looking at Government Exhibit 94, is that also a
15 photograph of Hanad Mohallim?

16 A. That is.

17 Q. But in a different setting than this one?

18 A. Yes.

19 MR. DOCHERTY: And, Your Honor, move the admission
20 of Government's 94.

21 MR. MOHAMMAD: No objection.

22 MR. NESTOR: You just moved 94?

23 MR. DOCHERTY: Yes.

24 MR. NESTOR: Did he identify 94?

25 MR. DOCHERTY: Yes.

1 MR. NESTOR: All right. I'm sorry, I missed it.

2 MR. DOCHERTY: We can do it.

3 BY MR. DOCHERTY:

4 Q. Look at Government Exhibit 94, please. Is that Hanad
5 Mohallim?

6 A. That is.

7 MR. NESTOR: No objection.

8 MR. BRUDER: I have no objection.

9 THE COURT: Be admitted. 94 is admitted.

10 (Government Exhibit No. 94 is received.)

11 BY MR. DOCHERTY:

12 Q. So looking at Government Exhibit 94, this is also Hanad
13 Mohallim. Is that correct?

14 A. That is, sir.

15 Q. And do you see Hanad, first of all, he's dressed all in
16 blue. Does that mean anything to you?

17 A. He's from California so that's where the Crip gang
18 originated, so we used to talk about that a lot.

19 Q. All right. Was he a member of the gang?

20 A. He was not.

21 Q. All right. Just so why would he dress all in blue like
22 this?

23 A. I wouldn't say he was a part of the gang, but he used a
24 lot of the references, he grew up around a lot of them, so I
25 guess that was his favorite color, blue.

1 Q. Just like -- okay. And do you see also that he's got
2 the index finger of his right hand up in the air?

3 A. I do.

4 Q. Does that gesture mean something to you when you see it?

5 A. I think it means monotheism.

6 Q. And does that relate to the religion that you and Hanad
7 share?

8 A. Yes.

9 Q. Can you explain that to the jury a little bit?

10 A. So monotheism means the belief in one God, Islam, other
11 religions are monotheistic too, so I guess that's what he
12 meant by that.

13 Q. When you got to MTS, did you become friends and start
14 hanging out with Hanad again?

15 A. Yeah.

16 Q. Okay. And you've testified about this interest you've
17 developed in Syria. Did you talk with Hanad about Syria?

18 A. We did.

19 Q. How much knowledge did you find Hanad to have about
20 Syria and the events in Syria and people who were in the
21 news about Syria?

22 A. He knew just as much as I did. He was keeping up with
23 the Syrian conflict. He was -- he had the same feelings I
24 had. He was outraged at what was going on over there.

25 Q. And then at some point you moved over to Heritage

Academy. Is that right?

A. That's correct.

Q. And did Hanad also go to Heritage Academy with you?

A. He did not.

Q. All right. Where did Hanad go when MTS closed?

A. He was gone by then.

Q. He was gone by then. All right. So the events we're going to discuss about Hanad all took place within MTS. Is that correct?

A. That's correct.

Q. When was the last time that you saw Hanad Mohallim? Describe the circumstances first and then we can talk about timing.

A. Early March 2014.

Q. And tell me about -- tell me and the jury about the circumstances, please.

A. We were at Dar al-Farooq in Bloomington, that's a mosque in Bloomington. We were playing that basketball that night. That was the last time I saw him.

Q. And did he try -- did you have any conversation with him?

A. I was playing basketball at the time, but he was trying to talk to me. He told me several times that he had something important to talk to me about, but I was too busy playing basketball and I thought I would see him later that

1 night.

2 Q. I've just handed you two more exhibits, Mr. Yusuf.
3 These are marked for identification as Government
4 Exhibit 37, and the other one is Government Exhibit 38.
5 Without telling us what it is, can you tell us, do you
6 recognize the buildings that are in those two exhibits?

7 A. The --

8 Q. Sir, if you could just say yes or no, do you recognize
9 the buildings that are in those two exhibits?

10 A. I do.

11 Q. Okay. That's fine. And you're familiar with both
12 buildings?

13 A. Yes.

14 Q. And do those photographs appear to be accurate as far as
15 the -- accurate photographs?

16 A. Yes.

17 MR. DOCHERTY: Okay. Your Honor, move the
18 admission of Government 37, Government 38.

19 MR. MOHAMMAD: No objection.

20 MR. NESTOR: No objection.

21 MR. BRUDER: No objection.

22 THE COURT: 37 and 38 will be admitted.

23 (Government Exhibit Nos. 37 and 38 are received.)

24 BY MR. DOCHERTY:

25 Q. Let's start this way, Mr. Yusuf. You wound up finishing

the academic year at Heritage Academy?

A. Yes.

Q. And is there a mosque close by to Heritage Academy?

A. There is.

Q. What's the name of that mosque?

A. Dar al-Farooq Como.

Q. Okay. Can you, for all of our benefits, could you maybe spell Dar al-Farooq?

A. D-A-R A-L F-A-R-O-Q.

Q. And looking at Government Exhibit 37, is that a photograph of Dar al-Farooq Como?

A. That is.

Q. All right. And I'm just going to expand the photograph part of this. So whereabouts is this building located?

A. It's on Como, southeast Minneapolis, I want to say Como, 16th, 17th.

Q. And is this something that you would be able to locate on the map of Minneapolis that's Government's Exhibit 16?

A. Yes.

Q. Okay. If you see the box is being drawn sort of north of the University of Minnesota East Bank campus. Do you see on there where Dar al-Farooq Como would be located, sir?

A. One second.

Q. Yep. Take -- get oriented and get it right.

A. It would be over here where I put the check.

Q. Where the checkmark is?

A. Yeah.

Q. And you also mentioned that Heritage Academy was pretty close to Dar al-Farooq Como?

A. Yes.

Q. Could you make another -- well, I'll change the color. Trying to. Okay. Could you make another check where Heritage Academy would be located?

A. It would be one block over.

Q. So the yellow check is Heritage Academy and green check is Dar al-Farooq Como?

A. Yes.

Q. Do you see Van Cleve Park on this map?

A. I do.

Q. And is Van Cleve Park, is that a place where -- are there basketball courts at Van Cleve Park?

A. There is.

Q. Okay. And now, Government Exhibit 38, is that also a picture of a Dar al-Farooq facility?

A. Yes.

Q. And where is this one located?

A. In Bloomington, Minnesota.

Q. So this building is not on the map because it's not in Minneapolis, right?

A. Right.

1 Q. Okay. Whereabouts is this one located? I know you said
2 Bloomington, but where in Bloomington? How do you get
3 there?

4 A. It's I want to say 81st in Bloomington.

5 Q. 81st Street somewhere?

6 A. Yeah. I'm not sure.

7 Q. Now, you talked about the basketball courts, the outdoor
8 courts at Van Cleve Park near Dar al-Farooq Como. Where was
9 it that you last saw Hanad Mohallim, was it Van Cleve Park
10 or was it this facility that's on the screen now?

11 A. This facility that's on the screen now.

12 Q. And this facility here, is this a house of worship, a
13 mosque, or is this something else?

14 A. It's a mosque, a gym, and a family center.

15 Q. So the -- describe the gym to the jury, please.

16 A. They have two gyms. The picture you're looking at right
17 now, when you walk through those doors, there's the bigger
18 gym to the right. There's a, if you take a right, there's
19 another smaller gym, that's where I last saw Hanad.

20 Q. And that's where you were playing basketball when Hanad
21 was trying to get your attention?

22 A. Yes.

23 Q. And when was it that this basketball took place -- game
24 took place, month and year, if you can, as to when it was
25 that you were playing basketball and Hanad Mohallim was

1 trying to get your attention?

2 A. Somewhere early March 2014.

3 Q. Okay. That's enough. Did you see Hanad Mohallim the
4 next day?

5 A. I did not.

6 Q. Did you see him the day after that?

7 A. I did not.

8 Q. Did you ever see him again?

9 A. No, sir.

10 Q. How much time went by before you started to get worried?

11 A. A couple of days. I didn't think it was anything
12 serious in the beginning but after a couple of days with no
13 contact from him.

14 Q. Were you used to hearing from Hanad Mohallim even
15 if -- even if he wasn't in school?

16 A. Yes.

17 Q. How would you hear from him?

18 A. Through social media, calling his cell phone.

19 Q. All right. Nothing like that, no messages that were
20 being received?

21 A. None.

22 Q. Had you seen him physically face-to-face?

23 A. No.

24 Q. So after a couple of days had gone by and you're worried
25 about your friend, what did you start doing?

1 A. I started to make phone calls to other people to see if
2 they knew where he was.

3 Q. Is one of the people that you made phone calls to the
4 defendant Guled Ali Omar?

5 A. Yes.

6 Q. And do you see Guled Ali Omar here in the courtroom?

7 A. I do.

8 Q. Can you tell us, please, where he's sitting and what
9 he's wearing?

10 A. He's wearing a gray suit. He's right there.

11 Q. All right.

12 MR. DOCHERTY: Your Honor, could the record please
13 reflect that the defendant has identified Guled --

14 THE COURT: It may.

15 MR. DOCHERTY: -- defendant Guled Ali Omar?

16 THE COURT: It may.

17 BY MR. DOCHERTY:

18 Q. And how did you get in contact with Guled Ali Omar?

19 A. I called his cell phone number.

20 Q. Did he answer?

21 A. He did.

22 Q. Tell us how that conversation went.

23 A. I asked him if he had seen Hanad, and he hung up on me.

24 Q. Did he say anything?

25 A. No.

1 Q. Just hung up?

2 A. Yep.

3 Q. Do you know a man named Adnan Farah?

4 A. I do.

5 Q. How long have you known Adnan Farah?

6 A. For awhile. We went to elementary school together so
7 for awhile.

8 Q. Had you stayed in touch over the years?

9 A. Somewhat, yeah.

10 Q. Were you friends?

11 A. We were.

12 Q. All right. And is he older than you, younger than you,
13 same age?

14 A. Same age.

15 Q. Was Adnan Farah involved in trying to find Hanad
16 Mohallim as well?

17 A. He was.

18 Q. I want to draw your attention to a time when you and
19 Adnan Farah were together talking about Hanad Mohallim and
20 the search for him. Do you know the conversation I'm
21 referring to?

22 A. I do.

23 Q. Whereabouts were you and Adnan Farah at the time of this
24 conversation?

25 A. MTS High School.

1 Q. And were you face-to-face or were you texting or talking
2 on the phone?

3 A. We were face-to-face.

4 Q. And do you know also a man named Abdirahman,
5 A-B-D-I-R-A-H-M-A-N, first name, last name Hassan,
6 H-A-S-S-A-N?

7 A. I do.

8 Q. Was Abdirahman Hassan also looking for Hanad Mohallim?

9 A. He was.

10 Q. All right. And at some point during this conversation
11 you're having with Adnan Farah at MTS High School, did
12 Abdirahman Hassan come in with some news?

13 A. He did.

14 Q. And tell us, please, what he said and what effect it had
15 on you.

16 A. He told us that Hanad's mother flew to Turkey and that
17 his passport was missing.

18 Q. How did that news hit you?

19 A. Strange.

20 Q. All right. How -- why strange?

21 A. I wasn't expecting that from him.

22 Q. Expecting what from him?

23 A. For him to leave the country and go to Turkey. It -- it
24 was a complete surprise to me.

25 Q. Did you say anything?

1 A. I don't remember if I said anything.

2 Q. Did Adnan Farah say anything?

3 A. He said that Hanad was chasing Jannah, which means
4 heaven, and not to worry.

5 Q. And Jannah, is that usually, in English, J-A-N-N-A-H?

6 A. Yes.

7 Q. That's originally an Arabic word though?

8 A. Yes.

9 THE COURT: All right. Let's stop here. Let's
10 take our morning break. Take a half-hour break.

11 (Recess taken from 11:01 a.m. until 11:30 a.m.)

12 THE COURT: Please continue.

13 MR. DOCHERTY: At this time, I would ask to
14 distribute to the jury, Court and parties the face and name
15 chart that was discussed at the end of the day.

16 THE COURT: You may. Let's make that a
17 government's exhibit so I'm going to let it be introduced so
18 they take it back to the jury.

19 MR. DOCHERTY: Can we put the markings on it at
20 the break? The exhibit sticker, I mean.

21 THE COURT: Yep. Well, just on what I need is
22 just one for the record and then you can distribute those
23 without a sticker on it. But you can tell us what number it
24 is. What number is it?

25 MR. WINTER: 354, Your Honor.

1 THE COURT: 354. Objections noted.

2 MR. NESTOR: They've been noted by the Court, Your
3 Honor, I believe.

4 THE COURT: Right. Overruled. Be admitted.

5 (Government Exhibit No. 354 is received.)

6 MR. NESTOR: I'm sorry, does it have a number?

7 MR. DOCHERTY: 354. Shall I proceed, Your Honor?

8 THE COURT: You may.

9 BY MR. DOCHERTY:

10 Q. Mr. Yusuf, before the break we were talking about a
11 conversation at MTS school in the city of Minneapolis in
12 which, I believe, right before the break, you indicated that
13 Adnan Farah had said of Hanad Mohallim, "He's chasing
14 Jannah," correct?

15 A. Correct.

16 Q. Okay. Moving along from there, later on that day did
17 you see the defendant Guled Ali Omar?

18 A. I did.

19 Q. All right. Can you tell us, please, or tell the jury
20 the circumstances of you seeing Guled Ali Omar later that
21 day?

22 A. He picked us up from MTS High School, me and Adnan, that
23 day.

24 Q. And do you see this face and name chart that's in front
25 of you?

1 A. I do.

2 Q. All right. And on that, could you please tell us what
3 number is Hanad Mohallim?

4 A. No. 10.

5 Q. And what number is Guled Ali Omar?

6 A. No. 13.

7 Q. What number are you?

8 A. No. 16.

9 Q. And lastly, what number is Adnan Farah?

10 A. No. 5.

11 Q. Okay. So Guled Ali Omar picked up you and Adnan Farah?

12 A. Yes.

13 Q. Where did he pick you up from?

14 A. MTS High School.

15 Q. Where did he -- where did he take you?

16 A. We went to the Kaah restaurant at the 24 mall.

17 Q. How do you spell Kaah, sir?

18 A. K-A-A-H.

19 Q. What kind of restaurant is that?

20 A. It's a Somali restaurant.

21 Q. And whereabouts, you said its -- its location was what?

22 A. At the 24 mall.

23 Q. Okay. And whereabouts is the 24 mall located?

24 A. It's in South Minneapolis, Chicago and 24th.

25 Q. And looking at Government Exhibit 16, I'm going to

1 highlight an area of South Minneapolis. Does that include
2 the area of the 24 mall?

3 A. It does.

4 Q. Okay. Can you, once again, place a checkmark at the 24
5 mall?

6 A. The writing is too small for me.

7 Q. All right. Let me expand it a little further as soon as
8 I look at it myself.

9 A. Too narrow.

10 Q. Yes. That's the wrong place. Hold on. All right.
11 Does that help? Do you see --

12 A. Yeah.

13 Q. And sorry for the confusion. But can you tell us,
14 please, on this map blown-up part of Government Exhibit 16
15 whereabouts the 24 mall is located?

16 A. It would be down south a little bit.

17 Q. It would be where?

18 A. It would be to the south. It's on Chicago and 24th. I
19 don't see that on this map.

20 Q. Chicago and 24th. So do you see Chicago Avenue here?

21 A. I do.

22 Q. And you said 24th?

23 A. Yes.

24 Q. And is 24th here?

25 A. Yep. I see it now.

1 Q. Okay. And so can you place a checkmark at the location
2 of the 24 mall?

3 A. (Indicating).

4 Q. Thank you. What kind of place is the 24 mall? Can you
5 describe it to the jury?

6 A. It's a Somali mall. There's a lot of shops in it,
7 different restaurants, clothing stores, things of that
8 nature.

9 Q. Does it cater, the shops and the retail establishments
10 and the restaurants in there, cater to a Somali-American
11 clientele?

12 A. It does.

13 Q. And the restaurant that you ate at, it was you, Guled
14 Ali Omar, and Adnan Farah. Is that correct?

15 A. Correct.

16 Q. Who paid for the meal?

17 A. Guled Omar.

18 Q. How long did the meal last?

19 A. At least an hour.

20 Q. And during the meal, what all -- what did the three of
21 you talk about?

22 A. We talked about where Hanad could be. We talked about
23 the Syrian conflict. We talked about Guled's past
24 experiences getting stopped at airports dealing with the
25 FBI, stuff of that nature.

1 Q. All right. Is that all that you talked about at dinner
2 that night?

3 A. That's all I can remember right now.

4 Q. And after -- after this dinner -- well, what was said
5 where it was that Hanad could be?

6 A. In Syria fighting.

7 Q. In Syria fighting for who or against who?

8 A. Fighting against the Assad regime.

9 Q. Was there discussion about who he might be fighting
10 alongside or who he might be fighting for?

11 A. Not that I remember.

12 Q. Not at that time?

13 A. Not at that time.

14 Q. What did Guled Omar tell you about past experiences at
15 airports?

16 A. That he was stopped at a airport when he was trying to
17 go to Kenya, the FBI targets Muslim, the Muslim community,
18 people it has interrogated, subpoenaed, stuff like that.

19 Q. All right. And what did Adnan Farah contribute to the
20 discussion that evening?

21 A. He was asking the same questions I was.

22 Q. And what -- okay. What questions were you asking?

23 A. Were you stopped, why do they target us, stuff like
24 that.

25 Q. Okay. And after this meal, did the three of you say

1 good night and go your separate ways or was there more to
2 the evening yet?

3 A. We did not. We went to Dar al-Farooq in Bloomington.

4 THE COURT: I'm sorry. I didn't hear you.

5 THE WITNESS: We went to Dar al-Farooq in
6 Bloomington.

7 BY MR. DOCHERTY:

8 Q. And when you got to Dar al-Farooq in Bloomington, what
9 part of the Dar al-Farooq Bloomington did you go into?

10 A. The mosque.

11 Q. Describe, please, that room. Tell us what's in the
12 mosque room at Dar al-Farooq Bloomington.

13 A. It's a pretty big room, just carpet, brown carpet.
14 There's a section in the back where there's a wall and you
15 can't see who is sitting in the back. That's how I would
16 describe it.

17 Q. So sort of a divider type --

18 A. Yes.

19 Q. -- thing? And where did -- where -- why was it that
20 after dinner -- is this a weeknight or a weekend night?

21 A. It's a weekday.

22 Q. So why is it that on a weekday three guys who have just
23 had a dinner go to a mosque, what you've described as
24 essentially, at that time, not being used for services,
25 right?

1 A. Yes.

2 Q. And so really just an empty room?

3 A. Yep.

4 Q. Okay. So why did you go there?

5 A. Adnan suggested it. He said there were other people
6 there, we could play basketball there and hang out.

7 Q. And when you got to Dar al-Farooq Bloomington, did you
8 find Adnan was right, were there other people there?

9 A. There were.

10 Q. Can you tell us who else was there?

11 A. Zacharia Abdurahman, Abdirahman Daud, Adnan Farah.

12 Q. Zacharia Abdurahman, that's No. 1?

13 A. Yes.

14 Q. Okay. Who else?

15 A. Abdirahman Daud.

16 Q. No. 4?

17 A. No. 4. Adnan Farah, No. 6.

18 Q. Okay.

19 A. Abdi Nur, No. 12; Abdirizak Warsame, No. 15.

20 Q. Okay. As well as the three of you?

21 A. As well as the three of us, yes.

22 Q. And was there anybody there who is not on this chart?

23 A. There were.

24 Q. How many additional people were there?

25 A. At least ten other people, older people.

1 Q. And were these ten other people, were they part of your
2 group? Were they your age and friends of yours or friends
3 of friends of yours?

4 A. They were not the same age as us. They didn't come
5 there with us. They were -- we were acquainted with them.

6 Q. Did you talk with them? Did you interact with them?

7 A. We played basketball with them that night.

8 Q. And you played basketball with your group, if that's
9 correct?

10 A. That's correct.

11 Q. And those are the people that you named and that you
12 identified -- and that you gave their number on the name and
13 face chart?

14 A. Yes.

15 Q. All right. How long did you all play basketball at Dar
16 al-Farooq that night?

17 A. Until about two in the morning.

18 Q. Besides playing basketball, did you do anything else?

19 A. We went back to the mosque after we played basketball.

20 Q. So give us a little bit of an idea. You've gone to
21 dinner. You arrive at Dar al-Farooq Bloomington around what
22 time?

23 A. Around five, six.

24 Q. And then how long do you spend playing basketball?

25 A. A couple of hours.

1 Q. Okay. So you didn't play basketball until 2:00 a.m.?

2 A. No.

3 Q. Okay. So after a couple of hours you go back to the
4 mosque, correct?

5 A. Correct.

6 Q. And what do the group of you do when you get back to the
7 mosque?

8 A. We start talking again. Some people pull out their
9 iPads and phones and we start watching videos.

10 Q. And when you say some people pull out iPads and phones,
11 do you -- can you tell us, I know it has been awhile, but
12 could you tell us who pulled out an iPad or a phone to watch
13 videos?

14 A. Zacharia Abdurahman, No. 1; Mohamed Farah, No. 6.

15 Q. What sorts of videos did you watch? Were these
16 basketball videos?

17 A. They were not.

18 Q. What kinds of videos were they?

19 A. Videos that had to do with what was going on in Syria.
20 A specific YouTube channel I remember called Enter the
21 Truth.

22 Q. You know, videos about what's going on in Syria could be
23 a Sunday morning show with experts, or it could be footage,
24 or, I mean, it could be any sort of thing. Help the jury
25 out and describe the videos a little more specifically,

1 please, Mr. Yusuf.

2 A. The YouTube channel Enter the Truth has how I would
3 describe it as a propaganda-type channel. It was anti-west.

4 Q. Okay.

5 A. They talked about the corruption of the west, stuff like
6 that.

7 Q. When you say it's a propaganda channel, propaganda in
8 favor of who?

9 A. Of ISIS.

10 Q. And how many videos would you say you watched, the group
11 watched that night?

12 A. A couple. I can't remember.

13 Q. All right. How long was each video?

14 A. About three to four minutes.

15 Q. That's all?

16 A. It -- the videos, there are more than a hundred videos
17 on that channel, so they ranged in time.

18 Q. And your testimony was that -- and if you played
19 basketball -- if you got there five, six, played basketball
20 for a couple of hours, then by eight you're in the mosque,
21 correct?

22 A. I would say a little later than eight.

23 Q. Okay. What would you say?

24 A. After nine.

25 Q. After nine. And you stayed there, you testified, until

1 two?

2 A. Yes.

3 Q. Okay. And in that time, how many, from nine to two,
4 during that span of five hours, how many videos were you
5 watching?

6 A. Quite a bit. We were also talking too.

7 Q. Okay. And were the videos that you were watching all
8 from this did you say Enter the Truth?

9 A. That night I remember, yes.

10 Q. Enter the Truth is a YouTube channel?

11 A. It is.

12 Q. All right. Describe for us, please, the contents of
13 these videos. Describe for us the images that you and your
14 associates watched that night.

15 A. I don't remember any exact video from that night.

16 Q. All right. Was there violence depicted on these videos?

17 A. There were.

18 Q. All right. Describe the violence that you saw in these
19 videos.

20 A. For example, what was going on in Syria, the bombings,
21 the innocent people that were dying, about taking up arms
22 and going over there, stuff like that.

23 Q. And you also said that these videos were anti-west, and
24 I believe the words you used were that they discussed,
25 quote, the corruption of the west. Do you -- is that what

1 you said?

2 A. Yes.

3 Q. Can you give the jury, please, some more detail of what
4 you mean by the corruption of the west?

5 A. So the channel is pretty much saying that Muslims
6 shouldn't live in the west, that it's better for them to
7 make a journey to an Islamic State, stuff like that.

8 Q. Why should they make the journey to the Islamic State,
9 according to these videos that you watched that night?

10 A. It's a better place to live.

11 Q. How come?

12 A. They can follow their religion over there. They don't
13 have to conform to anybody else's traditions or anything.

14 Q. Now, I'm going to go back a little bit. Back in
15 January, February when -- of 2015, when you first started
16 talking to the FBI, you described this evening, correct?

17 A. Correct.

18 Q. Did you tell the FBI and federal prosecutors at that
19 time that the defendant Abdirahman Daud had been at Dar
20 al-Farooq and was part of that group that night?

21 A. He was.

22 Q. Okay. But did you tell us that back in January,
23 February?

24 A. I did not.

25 Q. Why did you do that?

1 A. I wanted to cover for him.

2 Q. Why did you want to cover for him?

3 A. He was my friend at the time.

4 Q. Do you see Abdirahman Daud in the courtroom today?

5 A. I do.

6 Q. Can you tell us where he's sitting, please?

7 A. In the middle with a black suit.

8 MR. DOCHERTY: Your Honor, could the record please
9 reflect the witness has identified defendant Abdirahman
10 Daud?

11 THE COURT: It may.

12 BY MR. DOCHERTY:

13 Q. Let's talk a little bit about the various people who
14 were at Dar al-Farooq Bloomington that night, and I'll just
15 go in numerical order across the chart. No. 1, Zacharia
16 Abdurahman. Had you known him before that night?

17 A. I did.

18 Q. How well did you know him? How long did you know him?

19 A. We went to the same school as kids. We just kind of
20 knew each other. We weren't close.

21 Q. But you got along? There wasn't any friction between
22 you two?

23 A. No.

24 Q. And then what about Mr. Daud, you've described him as,
25 at the time, a friend of yours?

1 A. Yes.

2 Q. How long had the two of you been friends? And how close
3 was the friendship?

4 A. So we lived in the same neighborhood when we lived in
5 Minneapolis. Our families know each other. We grew up
6 together. I've known him more than ten years at least.

7 Q. Close friendship at the time?

8 A. That night, no.

9 Q. Okay. But, again, same question as for Mr. Abdurahman,
10 any friction between you, any tension?

11 A. No.

12 Q. And then I believe the next individual did you mention
13 No. 6, Mohamed Farah?

14 A. Yes.

15 Q. Okay. We've talked about Adnan Farah. What about
16 Mohamed Farah, did you know him before that night?

17 A. I did.

18 Q. And is he -- what's his -- the relation between Mohamed
19 Farah and Adnan Farah?

20 A. They're brothers.

21 Q. Which is the older brother?

22 A. Mohamed.

23 Q. By how many years?

24 A. I don't -- I want to say two.

25 Q. Two years. I understand that's a bit of a guess, but

about two years?

A. Yes.

Q. Okay. How long had you known Mohamed Farah and how close were you with Mohamed Farah?

A. Not close. We went to the same elementary school. We knew of each other. We were acquainted.

Q. And is he older or younger than you?

A. He's older.

Q. So you're more peers with Adnan?

A. Yes.

Q. Okay. No. 12, Abdi Nur. How long had you known Abdi Nur before that night?

A. Not long before that night. We knew of each other. I didn't know him well.

Q. When did you first meet Abdi Nur, or if you don't remember when, describe the circumstances where you first met Abdi Nur.

A. That night, I want to say that night is when we first shook hands and said hi, I'm Abdullahi or Abdi Nur.

Q. Okay. So you met him that night?

A. Yes.

Q. Okay. Did you -- the two of you become friends?

A. Yes.

Q. As time went on?

A. Yes.

1 Q. Okay. We'll talk about that. No. 13, Guled Ali Omar,
2 is he older or younger than you?

3 A. Older.

4 Q. By about how much?

5 A. Two years.

6 Q. And how long had you -- you had been out to dinner with
7 Guled Omar that night. How long had you known Guled Omar?

8 A. I knew him before that. Went to the same elementary
9 school. We knew each other. We weren't close.

10 Q. And this elementary school that you went to, Guled Omar
11 went to, and Mohamed Farah went to, which elementary school
12 was that?

13 A. International.

14 Q. Okay. Whereabouts is that located?

15 A. It's in Minneapolis. It's a charter school.

16 Q. Okay. And were Mohamed Omar -- or Mohamed Farah and
17 Guled Omar in the same year at school?

18 A. I don't remember.

19 Q. Okay. Fair enough. Did we talk about No. 15, Abdirizak
20 Warsame?

21 A. Not yet.

22 Q. Okay. Was he there that night?

23 A. He was.

24 Q. Had you known him for awhile or did you just meet him
25 that night the way you just met Abdi Nur that night?

1 A. I knew him for awhile.

2 Q. How long had you known Abdirizak Warsame?

3 A. A couple of years before that. We went to the same
4 weekend school.

5 Q. The same what school?

6 A. Weekend school.

7 Q. Okay. What's -- what do you mean by a weekend school?

8 A. So they're called dugsis. It's where kids go to learn
9 the Koran on the weekends.

10 Q. All right. So it's a religious instruction on the
11 weekends?

12 A. Yes.

13 Q. Okay. And dugsi, do you know how that is spelled?

14 A. D-U-G-S-I.

15 Q. Okay. Which dugsi did you and Abdirizak Warsame go to
16 together?

17 A. It was called Ahmed bim Hambel. It was on Lake Street.

18 Q. And I'm going to take a stab at spelling that. Correct
19 me if I'm wrong. A-H-M-E-D. New word B-I-M. New word
20 H-A-M-B-E-L.

21 A. A-L.

22 Q. H-A-M-B-A-L?

23 A. Yeah.

24 Q. Okay. Thank you. And then I -- did you say that No. 11
25 was present that night or not?

1 A. He was not.

2 Q. Okay. My mistake. You've talked about the videos that
3 you watched that night, and you've also said that the group
4 of you talked. What did you talk about?

5 A. Current events, sort of what was going on. It was
6 centered around what was going on in Syria.

7 Q. So this wasn't -- you weren't meeting to talk about
8 basketball, about sports or how the Timberwolves doing?

9 A. No.

10 Q. Did you talk about all Syria all the time that night?

11 A. Yes.

12 Q. All right. What were the opinions that were being
13 expressed that night?

14 A. What was going on over there was wrong.

15 Q. And who was the party that was in the wrong?

16 A. Could you repeat that question?

17 Q. Sure. It wasn't the best question I've ever asked. You
18 said what was going on there was wrong. Now, there's a war
19 in Syria, right?

20 A. Yes.

21 Q. There were sides in the war?

22 A. Yes.

23 Q. And so the question is, which side was the group saying
24 was the wrong side, the bad side?

25 A. The Assad regime.

1 Q. Okay. Was this group that you have just described less
2 than 30 people?

3 A. Yes.

4 Q. Okay. Have you ever been in a group of 30 people
5 similar to the -- I mean, not to get ahead of ourselves, but
6 there are going to be other meetings, correct?

7 A. Yes.

8 Q. Are any of those meetings going to involve 30 people?

9 A. In just meetings at the mosque?

10 Q. Meetings at the mosque, yes, or meetings of this group
11 to talk about Syria.

12 A. No. Less than 30 people.

13 Q. Less than 30. All right. And is it this same group of
14 people more or less that we're going to talk about meetings
15 going forward?

16 A. Yes.

17 Q. Okay. When you finished up with Dar al-Farooq
18 Bloomington around 2 o'clock the next morning, how do you go
19 home? How did you get home?

20 A. Abdi Nur gives me a ride.

21 Q. And what kind of car did he give you a ride in?

22 A. The Volkswagen Jetta.

23 Q. Now, before that night, had you seen videos like this
24 before?

25 A. No.

1 Q. How do you react to seeing them?

2 A. Just it reenforced my opinion that what was going on
3 over there was wrong.

4 Q. Can you tell us any of the things that you -- specific
5 things that you saw in that video that reenforced your view
6 of what was going on over there was wrong or, more
7 specifically, that the Bashar al-Assad regime was a bad
8 regime?

9 A. I can't remember a specific video from that night.

10 Q. All right. Did you get a book that night?

11 A. A PDF. I was told to read a PDF that night.

12 Q. What PDF were you told to read?

13 A. "Black Flags From the East."

14 Q. And who told you to go read "Black Flags From the East"?

15 A. Guled Omar.

16 Q. Did you go read -- did you go get the PDF of the book?

17 A. Yes.

18 Q. And did you read it?

19 A. Some of it, yes.

20 Q. Some of it. Okay. And what sort of a book is "Black
21 Flags From the East"?

22 A. It had to do with Al-Qaeda, the Taliban, stuff like
23 that. I don't remember much from it.

24 Q. Okay. If I show you a copy, would that refresh your
25 memory of what it was about?

1 A. Yes.

2 Q. Okay. Sir, I've just handed you what's been marked for
3 identification as Government's Exhibit 52. Is it a
4 print-off copy of the book that you were referred to by
5 Guled Ali Omar, "Black Flags From the East"?

6 A. Yes.

7 Q. And is this a book that you read some of in response to
8 Mr. Guled Ali Omar's recommendation?

9 A. Yes.

10 Q. And, again, you've testified that the subject of the
11 book is Al-Qaeda and the Taliban, generally speaking?

12 A. From what I read, yes.

13 Q. Okay. Did this book have an influence on your views?

14 A. Not this specific book, no.

15 Q. Not this specific. Did it provide you with information?

16 A. Yes.

17 Q. Okay. And was that information relevant to your
18 understanding of Syria?

19 A. Later on, yeah.

20 MR. DOCHERTY: At this time, Your Honor, I'll move
21 the admission of Government Exhibit 52.

22 MR. MOHAMMAD: No objection.

23 MR. NESTOR: None, Your Honor.

24 MR. BRUDER: No objection.

25 THE COURT: Be admitted.

(Government Exhibit No. 23 is received.)

BY MR. DOCHERTY:

Q. Now, this is a cover of the copy that we've got. Is it the same cover of the copy that you had?

A. I don't remember that specific cover.

Q. Okay.

A. But I remember the table of contents on the next page.

Q. Okay. And you remember the text?

A. Yes.

Q. Okay. And what sort of information did you get from "Black Flags From the East"?

A. It was a -- it was sort of historical. It was talking about what was going on in the Middle East. Like I said, all I remember is it talking about the Taliban and Al-Qaeda.

Q. Okay. Were they talking about the Taliban and Al-Qaeda in a -- was it sort of a work of journalism, reporting on them? Or was it favorable? Was it propaganda? Was it unfavorable? What can you tell us about that?

A. Favorable to Al-Qaeda and the Taliban.

Q. Okay. And did you get that book that night or did you go download it later?

A. I downloaded it later that night.

Q. Okay. After your time at Dar al-Farooq where you were just talking about your departure, how did you leave again?

A. Abdi Nur gave me a ride that night.

1 Q. Was anybody else in the car with Abdi Nur?

2 A. Mohamed Farah.

3 Q. Anyone else?

4 A. That was it.

5 Q. That was it. And you've testified that you've just met
6 Abdi Nur that night?

7 A. Yes.

8 Q. Give us a little idea of, did you get to know Abdi Nur
9 better as time went on?

10 A. Yes.

11 Q. And let's, as we've done with some other people, let's
12 give the jury a little idea of who Abdi Nur was. Older or
13 younger than you?

14 A. He was older.

15 Q. How much older than you was he?

16 A. At least two years.

17 Q. At least two years. What -- what was his personality
18 like?

19 A. He was reserved.

20 Q. Okay.

21 A. He was religious too.

22 Q. Did you and he get to be friends?

23 A. Yes.

24 Q. Did you get to be good friends?

25 A. Yes.

1 Q. What was it about Abdi Nur that made you think, hey, I
2 want to be a friend of yours? You're my kind of guy? What
3 was it?

4 A. I would say what I believed in at the time of how I
5 thought what was going on in Syria was wrong, he felt the
6 same, so it was a nice talking point for the two of us.

7 Q. Did you have a, at this time, strong opinions about
8 Syria?

9 A. Yeah.

10 Q. Did Abdi Nur share those opinions?

11 A. Yes.

12 Q. And as you drove that night, you know, some people play
13 the radio as they drive in the car, was there music in the
14 car?

15 A. Yes.

16 Q. Can you tell the jury, please, what kind of music was
17 playing?

18 A. A nasheed. It wasn't -- that means an Islamic song with
19 meaning. It's one that I've never heard before.

20 Q. So you've heard nasheeds before?

21 A. Yes.

22 Q. And what -- what different types do nasheeds come in?
23 What were the type that you had heard before, maybe that's a
24 better question.

25 A. Usually lullabies for kids, stuff like that.

1 Q. Was this a lullaby that was playing in the car?

2 A. It was not.

3 Q. What -- what was playing in the car that night?

4 Describe the nasheed that you heard that night.

5 A. It was a lot more catchy. There was gun sounds in the
6 back of it. The name of it was "Muslim Always." It was on
7 YouTube. It was a picture of a black lion.

8 Q. A picture of a?

9 A. A black lion.

10 Q. And so there was a --

11 A. A lion with ISIL's flag in the back.

12 Q. And so this was on a phone or a tablet of some sort?

13 A. Yes.

14 Q. And do you remember anything more about the video than
15 that?

16 A. That's all I remember right now.

17 Q. Was this a still image that went with the song or was it
18 a moving video?

19 A. It was a still image.

20 Q. A still image, okay. After you got home, did you go
21 straight to bed?

22 A. No.

23 Q. What did you -- by now it's half past two in the
24 morning?

25 A. Yeah.

1 Q. School the next day?

2 A. It was a weekend. It was going to be a weekend.

3 Q. So was it a Friday?

4 A. Yes.

5 Q. Okay. Because I think you testified a few minutes ago
6 it was a weekday.

7 A. Yes.

8 Q. Is that -- so I'm just trying to clear which it was.

9 A. I'm -- I want to say it was a Friday.

10 Q. Had you been in school that day?

11 A. Yes.

12 Q. Were you at school the next day?

13 A. No.

14 Q. Okay. And you weren't playing hookey or skipping
15 school, there was just no school the next day?

16 A. Yes.

17 Q. So does that tell you what day it probably was?

18 A. Saturday.

19 Q. Okay. By now it's Saturday, it's 2:30 Saturday morning.
20 Is that right?

21 A. Yes.

22 Q. Okay. You're home. You don't go to bed. What do you
23 do?

24 A. I continue watching Enter the Truth videos.

25 Q. What did you watch them on?

1 A. My iPad.

2 Q. How late did you stay up watching Enter the Truth
3 videos?

4 A. Late morning, early morning.

5 Q. Give us, an hour, two hours, three hours, stay up all
6 night?

7 A. Maybe four.

8 Q. Maybe four hours?

9 A. No, four that night.

10 Q. Four that night. I'm sorry. Okay. All right. And by
11 the way, did Abdi Nur drive you all the way home to Inver
12 Grove Heights or to somewhere else?

13 A. No, my grandpa's house in Minneapolis.

14 Q. Why were you staying at your grandpa's house at the
15 time?

16 A. It was closer to the school I was going to, and I slept
17 over there some nights.

18 Q. And most days how did you get to school?

19 A. My dad would drop me off at the light rail in
20 Bloomington and I would take the light rail from Bloomington
21 to MTS.

22 Q. Your dad, you said, worked as a truck driver?

23 A. Yes.

24 Q. How long of a drive is it from your house in Inver Grove
25 to the light rail station in Bloomington?

1 A. About 20 minutes.

2 Q. Was he always able to do that?

3 A. No.

4 Q. Because of his work?

5 A. Yes.

6 Q. And so when your dad wasn't able to drop you at the
7 light rail, what arrangements did you make?

8 A. Sleep over at my grandpa's house and go to school from
9 there.

10 Q. When you got in, I mean, at 2:30 in the morning, were
11 your grandpa or your grandma still awake?

12 A. They were not.

13 Q. So they didn't see you coming in at half past two in the
14 morning?

15 A. No.

16 Q. Looking back on that, you -- from the car restaurant to
17 Dar al-Farooq Bloomington, the YouTube channels, the --
18 channel, the nasheeds in the car, have you formed an opinion
19 about what was going on that night?

20 A. Yes.

21 Q. Okay. And what is that opinion?

22 A. I was recruited that night.

23 Q. And who recruited you?

24 A. Guled Omar.

25 Q. What did he recruit you to?

1 A. To be part of the group, part of the fold.

2 Q. Part of the fold, part of the group, but what is this
3 group? What is this fold? What's its purpose?

4 A. To get to Syria and fight.

5 Q. Fight for?

6 A. For ISIL.

7 Q. The next day what time did you get up?

8 A. Early the next morning.

9 Q. All right. After going to bed at four?

10 A. Yeah.

11 Q. All right. And why'd you have to get up early the next
12 morning?

13 A. I went to the Karmel Mall to go to prayer, morning
14 prayer is there, and I went back to bed after that.

15 Q. The Karmel Mall, is that different from the 24 mall?

16 A. No.

17 Q. It's the same sort of arrangement?

18 A. Same sort of arrangement, yes.

19 Q. But they are different malls. Is that correct?

20 A. Yes.

21 Q. Okay. Both in Minneapolis however?

22 A. Could you repeat that question?

23 Q. I'm sorry. Both in -- are they both in the city of
24 Minneapolis?

25 A. Yes.

1 Q. Okay. And why -- was there anything about the choice of
2 Karmel Mall versus any other mosque to go and say your
3 morning prayers?

4 A. No, my grandpa usually went to that one. It was closest
5 to his house.

6 Q. After you had said your prayers at the mosque at Karmel
7 Mall, did you go anywhere else?

8 A. Later that night I went to the convention center in
9 Minneapolis.

10 Q. And why did you go to the Minneapolis Convention Center?

11 A. There was a Sheikh from Egypt who was performing there
12 that night, and I volunteered to usher that night.

13 Q. When you say a Sheikh from Egypt, you used the word
14 "performing." Can you tell us what you mean by that?

15 A. He would go on-stage and recite the Koran.

16 Q. From memory?

17 A. Yes.

18 Q. Okay. And there are people who have done that, who have
19 memorized the entire Koran. Is that correct?

20 A. Correct.

21 Q. And was this individual one of those?

22 A. Yes.

23 Q. What was this Sheikh's name? If you remember.

24 A. Ahmed Jibril.

25 Q. Would the -- can you spell the last name for the

1 reporter, please?

2 A. J-I-B-R-I-L.

3 Q. Now, in preparation for your testimony, were you asked
4 to take a look at a calendar from March of 2014?

5 A. Yes.

6 Q. And on that calendar, were you able to work out when it
7 was that the Mohamed Jibril appearance at the -- I'm sorry,
8 Ahmed Jibril appearance at the Minneapolis Convention Center
9 took place?

10 A. Early March.

11 Q. And from that you conclude that the night before that
12 you've been describing took place when?

13 A. On a Friday.

14 Q. In early March?

15 A. Yes.

16 Q. Okay. What time did -- did anybody else cite the Koran
17 at the convention center that night?

18 A. Yes.

19 Q. Who else?

20 A. Abdirizak Warsame, No. 15.

21 Q. And he had been at the mosque the night before, correct?

22 A. Yes.

23 Q. With -- with the group?

24 A. Yes.

25 Q. Who -- you said that you volunteered to usher?

1 A. Yes.

2 Q. Who did you volunteer to? Who was in charge of the
3 ushers?

4 A. Mohamed Arab.

5 Q. And would that be A-R-A-B?

6 A. Yes.

7 Q. And who else, was anyone else from the group ushering at
8 the Ahmed Jibril event at the convention center that night?

9 A. No. 4, Abdirahman Daud.

10 Q. All right.

11 A. No. 12, Abdi Nur.

12 Q. Okay.

13 A. That's all I remember right now.

14 Q. Okay. Plus yourself?

15 A. Yes.

16 Q. And about what time did things wrap up at the convention
17 center?

18 A. Around ten.

19 Q. After that, I mean, you must be pretty tired by this
20 point?

21 A. I don't remember.

22 Q. Okay. But what did you do after you left the convention
23 center?

24 A. I hung out with Abdirahman Daud and Abdi Nur.

25 Q. And where did you do your hanging out?

1 A. In Abdi's car that he was driving around.

2 Q. When -- how long did you drive around in Abdi Nur's car?

3 A. A couple of hours. Not long. Shorter than the night
4 before.

5 Q. All right.

6 A. But I can't really say right now.

7 Q. Okay. And as you drove around, did you talk?

8 A. Yes.

9 Q. What did you talk about?

10 A. I was telling them about the videos I watched last
11 night.

12 Q. Mm-hmm.

13 A. Abdirahman Daud suggested I watch another video called
14 "Advice to Those Left Behind" by Anwar Al-Awlaki is what I
15 remember from that conversation.

16 Q. And did you take Abdirahman Daud's advice?

17 A. I did.

18 Q. And this video, "Advice to Those Left Behind," describe
19 the content of that video, please, for the jury.

20 A. It was by Anwar Al-Awlaki, and he's advising the Muslims
21 who live in the west that they should take up arms and go
22 fight and living in the west is not for them.

23 Q. Mm-hmm. Take up arms against who? For what purpose?

24 A. Jihad.

25 Q. Okay. Against who?

1 A. Anyone -- any conflict that was going on over there.

2 Q. You should be involved?

3 A. Yes.

4 Q. The group that you had met at Dar al-Farooq Bloomington,
5 did it keep on getting together?

6 A. Yes.

7 Q. Give the jury, please, an idea of how frequently this
8 group got together.

9 A. We would always hang out on Mondays, Thursdays, and
10 Fridays at least. Some of us went to the same school so we
11 hung around, around each other frequently.

12 Q. And which was the same school that you went to?

13 A. MTS, me and Adnan went to MTS. Some of other guys went
14 to the same college, MCTC Minneapolis, so we saw a lot of
15 each other.

16 Q. And at these three times a week meetings, what
17 were -- what was done? What was talked about?

18 A. The same topics, what was going on in Syria, stuff like
19 that.

20 Q. Did you continue to watch videos?

21 A. Yes.

22 Q. Can you -- were they the same sorts of videos or
23 different from the ones that you had watched that very first
24 night at Dar al-Farooq Bloomington?

25 A. Same types of videos.

1 Q. At some point did you meet a man named Yusuf Jama who is
2 No. 7?

3 A. Yes.

4 Q. All right. Tell the jury, please, first of all, when
5 did you meet Yusuf Jama?

6 A. I want to say somewhere in April afterwards. I met him
7 after everyone.

8 Q. After everyone else?

9 A. Yes.

10 Q. Okay. And tell the jury, please, about your meeting,
11 about how you got introduced to him and how you met him, how
12 you got to know him.

13 A. I was at the Karmel Mall, and Abdirizak Warsame and
14 Guled Omar introduced me to him.

15 Q. They introduced you to him?

16 A. Yes.

17 Q. What -- what did they say to you about him?

18 A. That this is -- he's with us now, this brother was
19 trying to get to Somalia and fight, and that he's a part of
20 our group now.

21 Q. And was he still trying to get to Somalia and fight?

22 A. After he joined our group?

23 Q. After he joined your group.

24 A. No.

25 Q. Okay. What was he trying to do once he joined your

Yusuf - Direct

1 group?

2 A. Get to Syria and fight.

3 Q. Did he tell that to the group?

4 A. Yes.

5 Q. Did he tell that to you?

6 A. Yes.

7 Q. And what did he tell you about his own plans to travel
8 to Syria?

9 A. That he had money and that he was ready to go.

10 Q. When he got to Syria, what was he going to be doing?

11 A. Fight for ISIL.

12 Q. And he told this to you and to the group?

13 A. Yes.

14 Q. I want to direct your attention now, Mr. Yusuf, to one
15 particular meeting of the group. And I'll direct your
16 attention to a meeting where I believe Mr. Guled Ali Omar
17 spoke with you, somewhat intently, before the meeting began.
18 All right? So at this point, this group has met and talked
19 about Syria, correct?

20 A. Correct.

21 Q. All right. They've -- would it be fair to say that
22 they're talking about current events?

23 A. Yes.

24 Q. They're not planning anything criminal?

25 A. No.

1 Q. At this point, this is a current events discussion
2 group?

3 A. Yes.

4 Q. Did that change?

5 A. It did.

6 Q. Tell us about, did it change after one particular event?

7 A. It did.

8 Q. Can you describe that event for the jury, please? And
9 then I might circle back and ask for more detail on
10 particular events.

11 A. So we were at Dar al-Farooq in Bloomington, the group
12 and me, and we were walking outside, and Guled asked me --
13 well, first off, we went to Dar al-Farooq, and I went inside
14 and prayed. I came back out and everyone was still in the
15 car.

16 Q. All right. Let's stop right there. I want to ask,
17 everyone was still in the car?

18 A. Yes.

19 Q. Please tell us, and use the chart, who is everyone?

20 A. So me, I was inside the mosque. Guled Omar was outside
21 in his car. Abdirizak Warsame, Adnan Farah and Zacharia
22 Abdurahman. Abdi was also driving so there was some people
23 in his car. Abdirahman Daud, Abdi Nur. That's all I can
24 remember right now.

25 Q. Okay. And when you came back out from praying at the

1 mosque and you found everyone still in the car, what
2 happened next?

3 A. They got out of the car, and we started walking in front
4 of Dar al-Farooq.

5 Q. Just started walking up and down?

6 A. Yes.

7 Q. Okay. Was there some conversation?

8 A. There was.

9 Q. Tell us about -- tell the jury about the conversation.

10 A. So Guled was talking, and he sort of gave me an
11 ultimatum. He said that what we were about to do, we were
12 about to go on a long and hard journey and that if I turned
13 around and walked away that there would be no hard feelings,
14 that we were trying to -- the group was trying to get to
15 Syria and fight and if I wanted to be a part of that, I
16 could.

17 Q. Did he say -- when he said the group was trying to get
18 to Syria and fight, did he explain what he meant by "fight"?
19 Fight for who? Fight against who? Fight with who? Any
20 details like that?

21 A. Not specifically at that meeting.

22 Q. All right. How did you respond to what defendant Guled
23 Omar was telling you that day at Dar al-Farooq Bloomington?

24 A. I wanted to be a part of it.

25 Q. And after you responded that way, what happened after

that?

A. So right away we walked inside, we walked to Dar al-Farooq, we go inside the mosque, and we start talking about the logistics of it. We start talking about how the amount of money we would need, identification, passports, how we would get there.

Q. Had these topics been discussed before by the group?

A. Not in front of me, no.

Q. Okay. So not to your knowledge?

A. Yes.

Q. Did you mention, did you say that you were looking at maps?

A. Yes.

Q. How were you looking at maps? I mean, were there maps on the wall or did you have to do something else?

A. Guled Omar's laptop, it was a MacBook, we were looking at world maps.

Q. And when you say that you talked about the logistics of it, what do you mean by the word "logistics"?

A. How we would get from Minnesota to Syria, how certain people have to take different routes, which countries were by Syria that we could -- which countries were by Syria --

Q. Okay.

A. -- that we would get to because you can't fly straight to Syria.

Q. Right. Did you -- at that time, you're in school,
right?

A. Yes.

Q. Are you working too?

A. No.

Q. All right. Is your family rich?

A. No.

Q. All right. Can you -- do you have money in your pocket
to go buy a plane ticket to someplace in the Middle East?

A. I do not.

Q. Did you have a passport at that time?

A. I did not.

Q. What about the other members of the group, did -- were
there members that did have the money for a ticket?

A. There were.

Q. All right. Who had the money for a ticket already?

A. Yusuf Jama, Guled Omar. Those were the two people who
were ready at the time.

Q. Who had a passport already?

A. Yusuf Jama, Mohamed Farah, Guled Omar. That's all at
that time.

Q. Okay. Now, in the context of this group, did you use
the term or word "hot"?

A. Yes.

Q. All right. What's "hot" mean when it's not -- not when

1 you're talking about a stove but when we're talking about
2 this group, what does "hot" mean?

3 A. This, in the eyes of law enforcement, would they be
4 stopped at a airport, were they on the FBI's radar.

5 Q. Were you hot at the time?

6 A. I was not.

7 Q. Were there members of the group who thought that they
8 were hot?

9 A. Yes.

10 Q. They were being -- they were -- they had come to the
11 attention of law enforcement, let's put it that way, at
12 least they thought they had?

13 A. Yes.

14 Q. Okay. And which members of the group thought that they
15 were hot?

16 A. Mohamed Farah, Guled Omar, and Abdirizak Warsame.

17 Q. Let's take those up in turn. Mohamed Farah, why did he
18 think he was hot?

19 A. He was subpoenaed. He's had conversations with FBI
20 agents. So he knew that he couldn't take a flight out of
21 MSP. He would be stopped.

22 Q. By the way -- and not by the way, but do you see Mohamed
23 Farah in the courtroom today?

24 A. I do.

25 Q. And can you tell us, please, where he's sitting and what

he's wearing?

A. At the end of the table with the black suit.

MR. DOCHERTY: Your Honor, could the record please reflect that the witness has identified the defendant Mohamed Farah?

THE COURT: It may.

BY MR. DOCHERTY:

Q. In terms of getting to Syria, was there discussion about how people, how men who were hot, could nevertheless get to Syria?

A. Yes.

Q. And were there different ideas about that?

A. There were.

Q. Can you tell the jury what those ideas were, please?

A. So for the people who are hot, they would take a rental car out of Minnesota, get to California, go through Mexico, and take a flight out of Mexico to avoid U.S. airports and get to Syria that way.

Q. Were there any other discussions about ways for hot people to travel?

A. I can't remember any right now.

Q. Okay. All right. And did anyone -- who was talking about this idea of taking a rental car to Mexico and flying out of Mexico?

A. Guled Omar.

1 Q. Anybody -- and who was he talking about it with?

2 A. Mohamed Farah and Abdirizak Warsame.

3 Q. So the three guys who were hot?

4 A. Yes.

5 Q. What about people who were not hot, were they just going
6 to go to MSP and catch a flight or was there more to it than
7 that?

8 A. They could have, but we saw MSP as a hot airport, sort
9 of, and it was suggested that the rest of the people take a
10 Greyhound out of Minnesota and go to the eastern coast and
11 take airports out of there.

12 Q. Were there specific east coast airports that were
13 discussed?

14 A. Boston, Charlotte, and New York.

15 Q. What about money? I mean, you didn't have money to go
16 to Syria, did you?

17 A. No.

18 Q. And you've said there were only a few people who
19 probably did have the money for a plane ticket at that time,
20 correct?

21 A. Correct.

22 Q. Were there -- was there discussion about how to get
23 money to go to Syria?

24 A. Yes.

25 Q. And were there ideas about how to get money to go to

1 Syria?

2 A. Yes.

3 Q. All right. Can you tell the jury, please, what the
4 ideas were to make a little money?

5 A. There were multiple ideas. One was financial aid, for
6 the people who were in college at the time, that they would
7 get financial aid and they would just take the money out of
8 the account and use that as their plane ticket.

9 Q. All right. And whose idea was that?

10 A. The people who were in college, so Zacharia Abdurahman,
11 Mohamed Farah, Abdirizak Warsame, Abdi Nur, and Guled Omar.

12 Q. Other ideas to raise money?

13 A. Finding a job and working, selling stuff, selling your
14 personal belongings. At one point it was brought up robbing
15 people.

16 Q. And were there people who had personal possessions that
17 were valuable and could be sold to raise some money?

18 A. Yes.

19 Q. Can you tell us who?

20 A. I remember Abdi Nur sold his MacBook Pro Air for a
21 thousand dollars. That's what comes to -- Abdirizak Warsame
22 sold his Samsung Galaxy phone for \$200 and gave it to Adnan.
23 That's all I can remember right now, examples.

24 Q. Up until now, we've been talking about face-to-face
25 meetings where the group gets together and talks.

1 A. Yes.

2 Q. I want to switch that a little bit. Did you also
3 communicate with each other by phone, social media, text
4 messaging, things like that?

5 A. We did.

6 Q. And was there ever a discussion about how to do that
7 securely without the FBI being able to access your
8 communications?

9 A. Yes.

10 Q. All right. One conversation? Multiple conversations?

11 A. I remember a specific conversation.

12 Q. And tell us about that. First of all, when did it
13 happen, before or after you've been asked by Guled Ali Omar
14 about whether or not you want to join the group fully?

15 A. After.

16 Q. And after -- who was involved in this conversation? Who
17 were all of the parties to it?

18 A. Guled Omar, Mohamed Farah. That's all I can remember
19 right now.

20 Q. And what was the conversation about?

21 A. Abdirahman Daud suggested that we download an app called
22 Surespot.

23 Q. Called what?

24 A. Surespot.

25 Q. Thank you.

1 A. That the Feds didn't know about it and that it was a
2 secure way to contact each other if we needed to.

3 Q. All right. And what was secure about Surespot? Did it
4 have features that made it attractive to you all?

5 A. The messaging was encrypted. You could only use one
6 device, so my Surespot account could only be accessed from
7 my phone. I couldn't log into it from another person's
8 phone. It deleted all messages when you logged out, stuff
9 like that.

10 Q. Okay. And after Abdirahman Daud suggested using
11 Surespot, did people get it?

12 A. Yes.

13 Q. All right. Did you use it?

14 A. Yes.

15 Q. All right. And did you use it to talk about travel to
16 Syria?

17 A. Yes.

18 Q. Over and above that, how many different applications,
19 how many different communications platforms would a member
20 of the group use in even just one conversation?

21 A. A lot.

22 Q. Explain, not all of us use this stuff extensively. Help
23 people like me out. Explain how a conversation like that
24 takes place.

25 A. Through multiple social media platforms, like a

1 conversation could start on Facebook and go to Kik and go to
2 Twitter. It would be one conversation, but they would keep
3 switching platforms.

4 Q. And you use one in there, Kik. What is Kik?

5 A. It's an instant messaging app.

6 Q. All right. And is it considered -- was it, by your
7 group, considered secure?

8 A. No.

9 Q. All right. Why not?

10 A. I don't know.

11 Q. Okay.

12 A. It wasn't as secure as Surespot.

13 Q. Now, was there a discussion about who was going to
14 travel or -- put it this way, the order in which people were
15 going to leave?

16 A. We were all to leave before June 1st.

17 Q. All right. Why were you all to leave before June 1st?

18 A. That's the date Guled Omar set up.

19 Q. Why did Guled Omar tell you why he set that date?

20 A. Graduation.

21 Q. Okay.

22 A. For some of us who were leaving the airport, we would
23 say that it was graduation type vacation.

24 Q. Okay. And you were, in fact, about to graduate from
25 high school. Is that right?

1 A. Yes.

2 Q. So just, if I can just sum up, we've been talking about
3 a lot -- a number of different things, and I just want to
4 know, did these take place at that first meeting after you
5 had talked with Guled Omar on the -- outside of Dar
6 al-Farooq or were they at later meetings? Going through
7 Mexico, was that at that first meeting?

8 A. Yes.

9 Q. Going to the east coast on a Greyhound bus, Boston,
10 New York or Charlotte, first meeting or later?

11 A. First meeting.

12 Q. Using your federal financial aid student money to
13 finance travel to Syria, first meeting or later meeting?

14 A. First meeting.

15 Q. Use Surespot because it's secure, first meeting or later
16 meeting?

17 A. I'm not sure.

18 Q. Okay. Leave on or before the 1st of June so you can
19 call it vacation -- graduation travel, first meeting or
20 later meeting?

21 A. First meeting.

22 Q. What do you think you were going to be doing when you
23 got to Syria?

24 A. I was going to join ISIS and join a training camp.

25 Q. All right. And what kind of a group did you think ISIS

was?

A. A group that fought the Assad regime.

Q. Did you, after training camp, where did you think you were going to be going?

A. Fighting the Assad regime wherever they sent me.

Q. Wherever they sent you?

A. Yes.

Q. And how were you going to fight the Assad regime? With your bare hands?

A. No.

Q. All right. With what?

A. With weapons.

Q. All right. What kinds of weapons?

A. Guns.

Q. Anything else?

A. Guns, rocket launchers, anything that I was trained to use.

Q. Okay. You understand that you might go to Syria and get killed?

A. I didn't think about that at the time.

Q. All right. Did you understand that you were going to go to Syria and kill people?

A. I didn't think about that at the time.

Q. And you've just testified that you were going to be fighting with guns and rocket-propelled grenades, if I'm

1 quoting you correctly, anything else that they trained you
2 to use, correct?

3 A. Correct.

4 Q. What do you think happens when people are hit with
5 rocket-propelled grenades?

6 A. They die.

7 Q. And were you prepared to go to Syria and use those
8 weapons?

9 A. Yes.

10 Q. On other people?

11 A. Yes.

12 Q. Were the other -- the defendants at this table prepared
13 to go to Syria and use such weapons on other people?

14 MR. MOHAMMAD: Objection.

15 MR. NESTOR: Objection.

16 THE COURT: Sustained. Specifically go through
17 each one.

18 BY MR. DOCHERTY:

19 Q. Did the topic of fighting in Syria, was it covered at
20 meetings of the group?

21 A. Yes.

22 Q. And remind us again, please, how many times the group
23 met or how frequently the group met? Excuse me.

24 A. At least three times a week. A lot.

25 Q. And how -- at what percentage of those meetings would

1 you say the topic of fighting in Syria came up?

2 A. Almost all.

3 Q. And at what percentage of those meetings did you all
4 watch videos about what was going on in Syria?

5 A. A lot of the time.

6 Q. And did those videos contain scenes of violence?

7 A. They did.

8 Q. Did they contain scenes of people firing guns?

9 A. They did.

10 Q. Did they contain scenes of people firing
11 rocket-propelled grenades?

12 A. Yes.

13 Q. So did you have conversations with Mohamed Farah about
14 what you were going to be doing in Syria?

15 A. Yes.

16 Q. Did that include fighting?

17 A. Yes.

18 Q. And did, based on your interactions with Mohamed Farah,
19 did it seem, to you, that Mohamed Farah understood he was
20 going to be going to Syria and would be killing people?

21 A. Yes.

22 Q. Did you have conversations with defendant Abdirahman
23 Daud?

24 A. Yes.

25 Q. And based on those conversations with -- or did those

1 conversations with Abdirahman Daud include fighting in
2 Syria?

3 A. Yes.

4 Q. Based on the conversations you had with Abdirahman Daud,
5 do you believe that Abdirahman Daud understood he was going
6 to go to Syria and kill people?

7 A. Yes.

8 Q. Did you have conversations with defendant Guled Ali Omar
9 about fighting in Syria?

10 A. Yes.

11 Q. And based on the conversations you had with Guled Ali
12 Omar about fighting in Syria, did it seem to you that Guled
13 Ali Omar understood he was going to go to Syria and kill
14 people?

15 A. Yes.

16 Q. After you came all the way in, after the transition from
17 a current events discussion group to active planning, did
18 the type of videos that you were watching change in any way?

19 A. Yes.

20 Q. All right. Describe the --

21 THE COURT: Let's stop here. Let's stop here.
22 We'll take our luncheon break at this time. We'll start up
23 at 1:30. At 1:30.

24 (Lunch recess taken at 12:34 p.m.)

25 * * * * *

(1:37 p.m.)

IN OPEN COURT

(JURY PRESENT)

THE COURT: Let's continue.

DIRECT EXAMINATION (Cont'd)

BY MR. DOCHERTY:

Q. Mr. Yusuf, had you made a decision at the -- in April of 2014, once you got to Syria, which group you were going to join?

A. Yes.

Q. What group were you going to join?

A. ISIS.

Q. And tell the jury, please, how the decision was made to join ISIL once you got to Syria.

A. Could you repeat the question?

Q. Sure. Let me break the question down. There are a lot of groups in -- there are a number of groups in Syria, correct?

A. Correct.

Q. And which ones did you consider as possibilities for you joining once you got to Syria?

A. There were two, Jabhat an-Nusrah, also known as JN, and ISIS. After we made contact with Hanad Mohallim through social media, we decided that we were going to join ISIS.

Q. And at the time you were fairly active in following

1 Syria, not -- not just like you had been in simply high
2 school with mainstream media but also social media. Is that
3 accurate?

4 A. Yes.

5 Q. And on that social media, were you aware of what ISIL
6 was doing with respect to other anti-Assad regime groups
7 inside Syria?

8 MR. NESTOR: I'm going to object to leading, Your
9 Honor.

10 THE COURT: Rephrase.

11 BY MR. DOCHERTY:

12 Q. You're aware that -- you were aware there were a number
13 of other groups inside of Syria?

14 A. Yes.

15 Q. Okay. And what did you know, if anything, about ISIL's
16 behavior towards other anti-Assad opposition groups in March
17 and April of 2014?

18 A. They were taking those other groups out.

19 Q. When you say they were taking those other groups out,
20 what do you mean by that?

21 A. They were killing the other groups.

22 Q. You mentioned a few minutes ago a group called Jabhat
23 an-Nusrah. Do you remember that?

24 A. Yes.

25 Q. What did you know about relations between ISIL and

Jabhat an-Nusrah in March, April of 2014?

A. There was a lot of fighting between the two. Jabhat an-Nusrah was the smaller of the two, and ISIS took over an-Nusrah eventually.

Q. What did you know about what ISIL was doing in terms of fighting against the Assad regime?

A. They were fighting against the Assad regime.

Q. And in the group, was there any discussion about ISIL's behavior towards other opposition groups in March and April of 2014?

A. Yes.

Q. Okay. Can you -- what -- did that topic come up once? More than once? Can you give us an idea about that?

A. Multiple times. We -- at first we didn't know which group to join. After, like I said, after we made contact with Hanad Mohallim and we found out that he joined ISIS and that he was part of them, we wanted to join ISIS specifically and all the other groups were irrelevant to us at the time.

Q. And when you say "we decided," using the name chart that's to your left, can you turn that over and tell us who "we" is in that testimony that you just gave by number and by name?

A. No. 1, Zacharia Abdurahman; No. 5, Adnan Farah; No. 6, Mohamed Farah; No. 7, Yusuf Jama; No. 11, Hanad Musse; No.

12, Abdi Nur; No. 13, Guled Omar; No. 15, Abdirizak Warsame;
and No. 16, me.

Q. During these -- did these discussions about ISIL's
behavior towards other anti-Assad groups in Syria, did those
discussions ever get heated?

A. Could you repeat that?

Q. Yeah. Did the discussions within the group about ISIL's
behavior towards other anti-Assad groups ever get heated?
Angry?

A. No.

Q. Contentious?

A. No.

Q. Okay. Were there people who were defending what ISIL
was doing to these other groups?

A. Not that I remember.

Q. All right. Were most people -- well, okay. So you've
mentioned about getting in contact with Hanad Mohallim on
social media, so let's follow that up. Did there come a
time when you got into contact with Hanad Mohallim, No. 10,
through social media?

A. Yes.

Q. Okay. How was it that you first got into contact with
Hanad Mohallim?

A. He contacted me through Kik.

Q. What was the message?

1 A. He asked me how I was doing. I didn't know who it was
2 because it was under a different handle, Kik handle.

3 Q. All right. What handle was it under? Do you remember?

4 A. Abusayf.

5 Q. Can you spell that, please?

6 A. A-B-U-S-A-Y-F.

7 Q. And this abusayf handle, that is not the one that he had
8 been using here in the Twin Cities?

9 A. No.

10 Q. Did you take -- what steps did you take to figure out if
11 it was Hanad Mohallim for real?

12 A. I asked him a question only he would know.

13 Q. What was the question?

14 A. Are you a slob?

15 Q. S-L-O-B?

16 A. Yes.

17 Q. It's not, I guess, immediately clear why that would tell
18 you whether he's Hanad Mohallim or not. Can you maybe
19 explain a little bit?

20 A. Like I mentioned earlier, he used to talk about the
21 Crips a lot, and it would be something we would joke around
22 about, and I would ask him that question a lot. And when I
23 asked it to him on Kik, he said LOL and he responded the way
24 he would usually respond, so I knew it was him .

25 Q. And what's a "slob"?

1 A. It's referring to the Bloods street gang.

2 Q. So once you established that this was Hanad Mohallim,
3 tell us about the conversation. Did you have a conversation
4 with him on Kik?

5 A. A little bit. I told him to go to Surespot because it
6 was more secure.

7 Q. How did he react to that suggestion moving to Surespot?

8 A. He didn't know it at the time but he went along with it
9 and he went to Surespot.

10 Q. And did you then have a conversation with Hanad
11 Mohallim, No. 10, on Surespot?

12 A. Yes.

13 Q. Can you tell us what the general topic of that
14 conversation was?

15 A. That he's there now, he got done with the training camp.
16 I told him that me and a couple of other people were going
17 to come, and he said okay, I'll put you in contact with
18 people making it across the border from Turkey, it's easy.

19 Q. Let me follow-up on a couple of those points. He said
20 he had just finished training camp. Did he say
21 anything -- what, if anything, did he say about how long
22 training camp had been?

23 A. Thirty days.

24 Q. And what, if anything, did he tell you about what he was
25 doing with ISIL right then and there?

1 A. He told me for security reasons he couldn't go into
2 detail.

3 Q. And what did he exactly say about what to do when you
4 got to Turkey?

5 A. Go to the Blue Mosque.

6 Q. And what's the Blue Mosque?

7 A. It's a famous -- famous tourist site in Istanbul.

8 Q. And jumping ahead a little bit, you remember the
9 interview that you had for your passport?

10 A. Yes.

11 Q. All right. And do you remember being asked to name a
12 tourist site in Istanbul?

13 A. Yes.

14 Q. And which was the only one that you could name?

15 A. The Blue Mosque.

16 Q. After you had had this Surespot or Kik/Surespot exchange
17 with Hanad Mohallim, did you tell anybody else in the group
18 that you and Hanad were back in touch?

19 A. Yes.

20 Q. Who did you tell?

21 A. Adnan Farah and Guled Omar.

22 Q. All right. And Adnan Farah is No. 5, Guled Omar, No.
23 13?

24 A. Yes.

25 Q. All right. What did you say to Adnan Farah about

1 getting back in touch with Hanad?

2 A. It was during -- I had the same -- the conversation at
3 the same time.

4 Q. Okay.

5 A. And I told it to both Adnan and Guled.

6 Q. Okay. Well, tell us, please, what was said in that
7 conversation.

8 A. I said that I had some good news, that I have a contact
9 over there. They knew Hanad, and they were happy to hear
10 the news that I was in contact with him.

11 Q. At this time, what, if any, position did Guled Omar have
12 with the group?

13 A. He was the emir, also known as the leader.

14 Q. Let's talk about how he became the emir. First of all,
15 tell us, please, how the group made a decision to have an
16 emir at all?

17 A. There would be a lot of discussions, a lot of arguments,
18 so we decided that, according to Islam tradition, there
19 should be an emir, someone who has complete control of the
20 group, and everyone votes, and we all voted and Guled became
21 the emir.

22 Q. Now, when you said "everyone votes," again, using the
23 face and name chart, please tell us who "everyone" is.

24 A. No. 1, Zacharia Abdurahman; No. 5, Adnan Farah; No. 6,
25 Mohamed Farah; No. 7, Yusuf Jama; No. 11, Hanad Musse; No.

11, Abdi Nur; No. 15, Abdirizak Warsame; and No. 16, me.

Q. And you didn't mention No. 13, Guled Omar, but he's the one who became emir. Is that correct?

A. Yes.

Q. Who voted in favor of Guled Omar becoming emir?

A. Everyone I just named.

Q. All right. Was Abdirahman Daud a part of this meeting?

A. No.

Q. And did Abdirahman Daud ever express any views about Guled Omar becoming emir?

A. He didn't want Guled as an emir.

Q. Can you remember -- you've said he wasn't at this meeting. Is that right?

A. Yes.

Q. Okay. When did he find out that Guled Omar, No. 13, had been voted emir?

A. I'm not sure when Abdirahman Daud found out.

Q. If you don't remember when, do you remember what his reaction was, what he said, how -- and the tone in which he said it?

A. I don't remember right now anything he said about the vote, but I know that he didn't want to be a part of the group because Guled was the emir.

Q. Okay. Now, you say he didn't want to be a part of the group. Did he say anything about continuing to want to go

Yusuf - Direct

1 to Syria?

2 A. In the springtime, no.

3 Q. In the springtime, no. Okay. Once Guled Omar had
4 become emir, did he have directions that he gave to the
5 group about going to Syria?

6 A. Yes.

7 Q. All right. And about how long after he became elected
8 emir did he start giving directions to the group about going
9 to Syria?

10 A. Right away.

11 Q. What did he tell you about what you would need before
12 you could make the trip to Syria?

13 A. A lot.

14 Q. Okay. And, Mr. Yusuf, I notice when you answer a
15 question, you look sort of down and to your left. Is that
16 because that's where the chart is?

17 A. Yeah.

18 Q. Could I ask you just turn it over? Thank you. And when
19 you need it, we'll turn it back over. Okay. Thank you. So
20 your answer was "a lot." And you won't be surprised my
21 follow-up is, tell me what "a lot" means.

22 A. A lot of it had to do with not only the logistics, what
23 I would need to go, my passport, for example, other avenues
24 to get money, what to say at the passport office, what to
25 say at the airport, stuff like that.

Q. And of the group, how many are left in the group who have access to federal financial aid, as we've talked about before the lunch break, as a means of raising money for the trip? And you can use the chart if you want to look and see who is in college.

A. Zacharia Abdurahman, Mohamed Farah -- No. 6, Mohamed Farah; No. 1, Zacharia Abdurahman; No. 12, Abdi Nur; No. 15, Abdirizak Warsame; No. 13, Guled Omar. Those were the ones who had financial aid money.

Q. Okay. In April of 2014, did anyone else join the group planning to go to Syria?

A. Yes.

Q. Okay. One person? More than one person?

A. Two people.

Q. Are they on the chart?

A. Yes.

Q. Could you -- first let's get them identified, and then we'll talk about them joining.

A. No. 7, Yusuf Jama; and No. 11, Hanad Musse.

Q. All right. Let's take those up in turn. No. 7, Yusuf Jama, whenabouts was it that he joined the group? And you know, as precisely as you can. If you can't get the exact date, then the month or --

A. Early April is when I would say.

Q. And were you there when Yusuf Jama joined the group?

Yusuf - Direct

1 A. I was not.

2 Q. All right. How did you learn, then, that Yusuf Jama had
3 joined the group?

4 A. When Abdirizak Warsame, No. 15, and No. 13, Guled Omar,
5 introduced me to him.

6 Q. Where were you when -- when Abdirizak Warsame and Guled
7 Omar introduced you to Yusuf Jama?

8 A. Karmel Mall.

9 Q. Can you just give the jury a description of that
10 meeting, of that introduction, please?

11 A. We were in the mosque, and I never saw Yusuf before, and
12 they introduced me to him. And they said that he's a part
13 of our group now and that he was trying to get to Somalia
14 and fight and that he has a passport and he has money and
15 he's ready to go.

16 Q. You said "they said," and there were two people there,
17 both Abdirizak Warsame and Guled Omar. Can you remember, of
18 those two, who said what?

19 A. I can't remember right now.

20 Q. And did you say that the information you received was
21 that Yusuf Jama wanted to go to Somalia?

22 A. Yes.

23 Q. At that time?

24 A. Yes.

25 Q. Did he persist in wanting to go to Somalia?

1 A. Not anymore.

2 Q. How long did -- how long was it before he changed his
3 mind?

4 A. As a part of the group, he didn't have -- when he joined
5 the group, Somalia was out of the picture; he was going to
6 Syria from then on.

7 Q. Okay. So this is a Syria-oriented group?

8 A. Yes.

9 Q. What about No. 11, Hanad Musse, what about, were you
10 there when he joined the group?

11 A. I was.

12 Q. Okay. And can you tell us about when that was?

13 A. It was on a Monday, we were at Dar al-Farooq in
14 Bloomington. We were in the back, sort of in the field, we
15 were sitting on bleachers, and Guled Omar pretty much gave
16 him the same ultimatum that he gave me, if you want to be
17 along on our journey, you can join or you can walk away, and
18 right then and there he joined the group too.

19 Q. As best as you can remember, Mr. Yusuf, whenabouts was
20 this?

21 A. Mid to late April.

22 Q. Now, when you joined the group, was there one person who
23 could say yes or no to your joining?

24 A. Yes.

25 Q. Okay. And who was that person?

1 A. Guled Omar.

2 Q. And when Hanad Musse, was there one person who could say
3 yes or no?

4 A. Yes.

5 Q. Who was that person?

6 A. Guled Omar.

7 Q. You mentioned a few minutes ago an answer to the
8 question I asked, one of the things you told you were going
9 to need was a passport. Do you remember that?

10 A. Yes.

11 Q. All right. There's a fee for a passport, correct?

12 A. Correct.

13 Q. All right. Did you have the money to pay that fee?

14 A. I did not.

15 Q. Did you obtain the money to pay that fee?

16 A. I did.

17 Q. Can you please tell the jury how you came to get the
18 money to get a passport?

19 A. So I was at Heritage High School one day, and Guled Omar
20 called me and he said he wanted to talk about something. So
21 I left the school. He picked me up. We went to Dar
22 al-Farooq Como which was a block away. We were sitting in
23 the parking lot, and he told me that -- he gave me actually
24 the \$200 for an expedited passport right then and there.

25 Q. What form was this, cash or check?

1 A. It was cash.

2 Q. Do you remember what denominations the bills were?

3 A. \$100 bills.

4 Q. And where had Guled Omar been carrying these hundred
5 dollar bills?

6 A. It was in a book. He flipped through the pages, grabbed
7 the money and handed it to me.

8 Q. And as he -- during this interaction at Dar al-Farooq
9 Bloomington -- or Como, did No. 13, defendant Guled Omar,
10 tell you anything about the passport application process?

11 A. I don't remember right then and there, but we talked
12 about it before.

13 Q. And so let's, in those conversations before, what did
14 Guled Omar tell you about the passport application process?

15 A. His experiences applying for a passport, what the
16 passport clerk officer can ask me, stuff like that.

17 Q. So when you say what the passport clerk was going to ask
18 you, give us a bit more detail, if you remember.

19 A. So they would ask certain questions like where are you
20 going, can we verify that, what to say to the, just having a
21 rock solid story before I got to the passport office.

22 Q. Now, at this time, did you have a driver's license?

23 A. I did not.

24 Q. Did you have access to a vehicle?

25 A. I did not.

1 Q. So what, if anything, did Guled Omar tell you about how
2 you would get to the passport office?

3 A. That Mohamed Farah would take me there.

4 Q. Is this conversation we're talking about, is this before
5 or after you've gotten back in touch with Hanad Mohallim,
6 No. 10, on Kik and Surespot?

7 A. After.

8 Q. All right. And did Guled Omar tell you anything about
9 Hanad Mohallim in this conversation where he gave you the
10 \$200 for the passport?

11 A. He said that him and No. 3, Abdirahman Bashir, sent
12 Hanad -- well, they sent money and not to worry about it.

13 Q. Why was he -- or if you know, why was he telling you
14 this?

15 A. Just updating me on Hanad.

16 Q. Did Guled Omar tell you anything about how much money he
17 had sent to Hanad Mohallim?

18 A. No.

19 Q. And at this time, where was Hanad Mohallim?

20 A. In Syria.

21 Q. Fighting for?

22 A. ISIS.

23 Q. So did Mohamed Farah wind up giving you a lift to the
24 passport office?

25 A. Yes.

1 Q. And before he gave you a lift to the passport office,
2 what discussions did you have with Mohamed Farah about the
3 application process, about the getting a passport?

4 A. He was present at many of the conversations I had with
5 Guled. He already had his passport. That's all I can
6 remember right now.

7 Q. Did -- well, can you remember whether Mohamed Farah
8 joined in on the conversation or was he silent?

9 A. When Guled told me he was going to take me to the
10 passport office?

11 Q. Yes.

12 A. He was not there.

13 Q. He -- okay. I'm sorry. We're miscommunication. You've
14 just said that Mohamed Farah was present at many of the
15 meetings when Guled Omar talked with you about applying for
16 a passport. Is that -- have I accurately --

17 A. Correct.

18 Q. -- captured what you've just said? Okay. I'm just
19 asking you for some more detail about Mohamed Farah's role
20 in these conversations, how active was he, what he did say,
21 how often did he speak, if he did speak.

22 A. He was active in the conversations.

23 Q. All right. Saying?

24 A. Pretty much what Guled was saying. I can't quote him on
25 anything that he said.

1 Q. All right. So about the passport application process?

2 A. Yes.

3 Q. And the questions you could expect?

4 A. Yes.

5 Q. Did Adnan Farah, No. 5, have a passport?

6 A. He did not.

7 Q. Did he have the money to pay the fees for a passport?

8 A. He did not.

9 MR. BRUDER: Objection. Calls for speculation.

10 THE COURT: Overruled.

11 BY MR. DOCHERTY:

12 Q. You can answer. The question was, did Adnan Farah,
13 No. 5, have the money to pay for a passport?

14 A. He did not.

15 Q. Do you know how he got the money to apply for a
16 passport?

17 A. I do.

18 Q. All right. Can you please tell the jury what you know
19 about how Adnan Farah, No. 5, got the money to pay for a
20 passport?

21 A. Adnan Farah, No. 5, got \$200 from No. 15, Abdirizak
22 Warsame.

23 Q. Were you there when this happened?

24 A. I was.

25 Q. Whereabouts did this happen?

1 A. At the Karmel Mall.

2 Q. When did this happen?

3 A. April.

4 Q. Of 2014?

5 A. Yes.

6 Q. All right. Tell us what you saw.

7 A. We were at the mosque and they came back. I was up at
8 the mosque, and they came back, and Abdirizak Warsame handed
9 No. 5, Adnan Farah, \$200 because he sold his phone for him,
10 and he gave the money to Adnan to get a passport.

11 Q. Now, when you say he gave the money to Adnan to get a
12 passport, how do you know it was money to get a passport?

13 A. We were talking about it. And Abdirizak Warsame knew
14 what Adnan was using the money for.

15 Q. How is it that you know that Abdirizak Warsame knew what
16 Adnan was going to use the money for?

17 A. Around the same time, Abdirizak Warsame was also trying
18 to get his passport, and he was part of the group, and he
19 was in on our plans.

20 Q. So now let's talk about passports a little more. I want
21 to direct your attention to the 24th of April, 2014. Do you
22 remember what you did as far as passports are concerned on
23 that day?

24 A. I don't -- April 24th doesn't --

25 Q. Okay. That -- unfair. Let me ask it a little bit

1 differently. How many -- did you get a passport on the
2 first trip to the office?

3 A. I did not.

4 Q. All right. Tell us about the first trip to the office.
5 Who took you there? And what happened when you got there?

6 A. So I was at Heritage Academy. Mohamed Farah called in
7 sick for me.

8 Q. Let me interrupt you right there. When you say "Mohamed
9 Farah called in sick for me," what does that mean?

10 A. So in order to be excused from school, he pretended to
11 be my father, called the school and told them that it was
12 okay for Abdullahi to leave school.

13 Q. And then you left school?

14 A. Yes.

15 Q. All right. And what did you do when you left school?

16 A. I met Mohamed Farah, No. 6, and Adnan Farah, No. 5, at
17 the Dar al-Farooq Como.

18 Q. Did they have a car or were they on foot?

19 A. They had a car. Mohamed Farah, No. 6, was driving, and
20 we went down to the passport office in downtown Minneapolis.

21 Q. And that's the passport office just a couple of blocks
22 from this building. Is that right?

23 A. Yes.

24 Q. All right. Tell us what happened at the passport
25 office.

1 A. Me and Adnan entered at the same time. He was ahead of
2 me in line. When it was my turn to go, I didn't have the
3 correct passport photos, so they told me I would have to
4 come back and I would have to go to like a Walgreen's or
5 something to go get my photos done. I left right away. I
6 went back outside to the car. Adnan said he needed more
7 documentation. He came out shortly afterwards. So we
8 proceeded to go to South High School, his high school, where
9 he got his transcript and his school ID. We bent back.
10 They asked for a parent's signature, and Mohamed Farah
11 walked inside and said that their parents were too sick to
12 come to the passport office and that since he was his older
13 brother, he would sign for him.

14 Q. Okay. And did the passport office accept the
15 application from Adnan Farah, No. 5?

16 A. That day they did, yes.

17 Q. But you still don't have your photographs, do you?

18 A. No.

19 Q. Were you able to get them that day?

20 A. Yes.

21 Q. Tell us about getting the photographs.

22 A. I went to the Walgreen's by Karmel, and I paid, what is
23 it, like ten dollars to get my passport photos.

24 Q. And once you had your passport photos, did you try to
25 get back to the office?

1 A. I did.

2 Q. All right. Who -- how did you get to the office?

3 A. So there's another passport office in Bloomington, and
4 Guled Omar offered to take me to that passport office in
5 Bloomington.

6 Q. All right.

7 A. We went over there, but we found out that passport
8 office was closed.

9 Q. So did you try again?

10 A. I did.

11 Q. How many days went by before you tried again to get a
12 passport?

13 A. At least a weekend. A couple of days.

14 Q. All right. So after a couple of or more days, you go
15 back to the passport office, and this time you got your
16 pictures?

17 A. Yes.

18 Q. Correct? And is that the day that you were interviewed
19 by the passport clerk?

20 A. Yes.

21 Q. All right. And how do you think that interview went?

22 A. Not good.

23 Q. Okay. Why not good?

24 A. I was asked a lot of questions that I wasn't prepared
25 for.

1 Q. Okay. And but did you get your passport?

2 A. I did.

3 Q. How long was it before you got your passport?

4 A. A week.

5 Q. Okay. Now, did you pay the extra fee to have it
6 expedited?

7 A. Yes.

8 Q. Showing you what's already in evidence as Government's
9 Exhibit No. 12, do you recognize that document?

10 A. I do.

11 Q. And is that your picture?

12 A. Yes.

13 Q. Is that the passport application we've been talking
14 about?

15 A. Yes.

16 Q. And did you then get a passport?

17 A. I did.

18 Q. I've just handed you what's marked for identification as
19 Government Exhibit No. 39. It's a photograph of a document.
20 Take a look at that document, please, and let me know when
21 you're ready to answer questions about it.

22 A. Okay.

23 Q. Is that a photograph, a color photo, of the passport
24 that you got?

25 A. Yes.

1 Q. Is it an accurate picture of that passport?

2 A. Yes.

3 MR. DOCHERTY: Your Honor, move the admission of
4 Government's 39.

5 MR. MOHAMMAD: No objection.

6 MR. NESTOR: None.

7 MR. BRUDER: No objection.

8 THE COURT: Be admitted, 39.

9 (Government Exhibit No. 39 is received.)

10 BY MR. DOCHERTY:

11 Q. And so, again, that's your picture and your passport,
12 correct?

13 A. Correct.

14 Q. And do you see, sir, down towards the bottom the date on
15 which that passport is issued?

16 A. Yes, I do.

17 Q. What date was that passport issued?

18 A. May 5th, 2014.

19 Q. Did you use that passport for any purpose once you got
20 it?

21 A. I used that passport to open up a bank account at a
22 Wells Fargo.

23 Q. Had you been able to open up a bank account before?

24 A. No.

25 Q. Why not?

1 A. I didn't have the proper identification.

2 Q. Which branch of -- which bank did you get to and which
3 branch?

4 A. The Wells Fargo on Nicollet and Lake.

5 Q. Now, you live in?

6 A. Inver Grove Heights.

7 Q. So why are you going to Nicollet and Lake?

8 A. It was suggested to me that there are other Somali
9 workers at the Nicollet Wells Fargo and that it would be
10 easy to open up a bank account there.

11 Q. Who made that suggestion?

12 A. Abdi Nur.

13 Q. So you went to Nicollet and Lake and applied to open a
14 bank account?

15 A. Yes.

16 MR. DOCHERTY: Your Honor --

17 (People talking in gallery.)

18 THE COURT: Hold on. I've put up signs. If you
19 make any noise, you're out of here. Up and out.

20 Continue.

21 Anyone else? Once you leave, you can't come back
22 in.

23 Continue.

24 MR. DOCHERTY: All right.

25 BY MR. DOCHERTY:

1 Q. Mr. Yusuf, I've just handed you a photo, and inside the
2 folder is a document marked as Government Exhibit 139. Do
3 you see that document?

4 A. I do.

5 Q. All right. Are you okay to continue?

6 A. Can I have a little break?

7 MR. DOCHERTY: Your Honor, can I have a moment?

8 THE COURT: Let's take a 15-minute break.

9 (Jury out at 2:14 p.m.)

10 THE COURT: All right. Let's -- do you have the
11 lady I ejected that would be able to explain to us --

12 MR. DOCHERTY: Could we do this at sidebar, Your
13 Honor?

14 THE COURT: Yeah, sidebar. But do we have her
15 here?

16 MR. DOCHERTY: I will --

17 THE MARSHAL: She's coming right now.

18 THE COURT: All right. Sidebar.

19 (Bench conference on the record.)

20 MR. DOCHERTY: Your Honor, to repeat and put on
21 the record what I told the Court already, when I approached
22 the witness to hand him Government's Exhibit 139 just before
23 the break, it appeared to me that the witness was distracted
24 and was looking towards the back of the courtroom. I handed
25 him the exhibit and said, "Just take this." I went back to

1 the podium, and he still seemed distracted. I asked him to
2 open the folder. And at that point I asked the witness if
3 he was okay to continue. He asked for a break. I asked the
4 Court for a break, and the Court granted a break.

5 On that break, I went into the back of the
6 courtroom. I spoke with FBI Special Agent Daniel Skipper
7 who is seated in the back row, and I spoke with Manny Atwal,
8 assistant federal defender, who represents the witness on
9 the stand, Abdullahi Yusuf. What I learned from Ms. Atwal
10 and from Special Agent Skipper is that defendant Guled Ali
11 Omar's family is in the back row of the courtroom; that they
12 are giving bad looks and saying bad things in Somali about
13 the witness who is on the stand.

14 The Court ejected a member of the gallery who,
15 according to Agent Skipper and according to Ms. Atwal, had
16 actually turned around to get the people in the back row to
17 stop talking and to behave themselves. And I'm informed now
18 by Mr. Winter one additional piece of information that the
19 woman who the Court directed be taken out of the courtroom
20 was the witness's mother.

21 I would ask that the witness's mother be allowed
22 back in and that the Court take such corrective measures as
23 are necessary so that this case can be tried in an
24 atmosphere free of intimidation. That's all I have.

25 THE COURT: Bring Ms. Atwal and the FBI agent up

1 here.

2 MR. DOCHERTY: Yes, sir.

3 All right. Agent, would you state your name for
4 the record?

5 MR. SKIPPER: It's Special Agent Daniel Skipper.

6 THE COURT: All right. And what can you tell me
7 about the incident --

8 MR. SKIPPER: From the best I --

9 THE COURT: -- that precipitated me kicking out
10 one of the people in the gallery?

11 MR. SKIPPER: Yeah, from the best I could tell,
12 the individual that, the boy, the young man who walked out,
13 he was talking, and then the few ladies in front of him were
14 correcting him, saying please don't talk. I -- they were
15 speaking Islam so --

16 THE COURT: How do you know what they were saying?

17 MR. SKIPPER: I don't know what they were saying.
18 But that's what I could tell from the gesturing, they seemed
19 to be correcting him.

20 THE COURT: Ms. Atwal.

21 MS. ATWAL: Your Honor, when I -- I heard the boy
22 talking behind me. He was saying Abdullahi's name.
23 Abdullahi's mother was sitting to my left. She turned
24 around and said no. And then they said something back to
25 her. And she said something in Somali but said Abdullahi's

1 name and then got upset. She had tears in her eyes. That's
2 when the Court removed everybody, and I was trying to settle
3 everybody down.

4 When we went outside, his mother said she
5 was -- that the boy was saying bad stuff about Abdullahi,
6 calling him a liar and why is he doing this to everybody,
7 and she got upset about that because they were talking about
8 her son. So when the kid came outside, he said he didn't
9 say anything. I'm like, "I heard you. I turned around and
10 looked at you and you said something." So then the marshals
11 brought out the rest of the kids.

12 I will say I only heard one voice speak. I know
13 defendant Omar's brother is in the courtroom. He did not
14 say anything. He was sitting right behind me, but he did
15 not --

16 THE COURT: Which brother? He's got so many.

17 MS. ATWAL: Mohamad Omar, who I know, so he did
18 not say anything.

19 THE COURT: What about who is the tall individual
20 that was talking, that was saying -- allegedly saying these
21 things?

22 MS. ATWAL: I don't know who he is. And he has
23 been removed by the marshals. He was very angry and said,
24 "I didn't say anything." And I'm like, "I heard you. I was
25 looking right at you. I heard you." And he was like, "I

1 didn't say that. She's the one who started it." And I
2 heard the boy talk first and then the mom turn around and
3 say no.

4 THE COURT: Okay.

5 MS. ATWAL: I will say this, Your Honor. Two
6 other young men were removed from the courtroom, and I
7 honestly did not hear them say anything. And one of them is
8 the defendant's brother, and I did not hear him say a thing.
9 The only one that said something is the one, the taller guy,
10 that did actually leave. The other two that are I think
11 still out in the hallway did not say anything.

12 THE COURT: All right.

13 MR. BRUDER: Your Honor, I spoke to Mohamed Omar,
14 and he indicated he did not say anything to anyone. He did
15 indicate the gentleman who was sitting next to him, who is
16 not a family member, said something, and he left. And
17 that's essentially the sum total of the information --

18 THE COURT: Do we know who that person is? Is
19 everyone just saying they don't know who he is, he's just
20 here and talking?

21 MR. BRUDER: I don't know. I didn't make any
22 particular inquiry. I was more concerned about whether
23 Mohamed Omar had said it -- oh, yeah, Mohamed Omar had said
24 anything. I was told no, he had not. And I can tell you
25 that while he's on supervised release, he doesn't want to

1 appear in front of you ever again, Your Honor.

2 Counsel, anything?

3 MR. MOHAMED: Nothing from me.

4 THE COURT: Counsel.

5 MR. NESTOR: My only concern, Your Honor, would be
6 anything that reflects upon the jury believing that somehow
7 there's intimidation or disruption going on, the ability of
8 my client to get a fair trial, if that is something that is
9 perceived by the jury.

10 THE COURT: We'll take care of it right now.

11 MS. ATWAL: Your Honor, may I have just a moment
12 with Mr. Yusuf?

13 THE COURT: Yes. And also I need his brother and
14 the other gentlemen brought in and the woman, his mother,
15 brought back in.

16 MS. ATWAL: So it's not his brother. I was
17 talking about -- so --

18 THE COURT: Mohamed.

19 MR. BRUDER: It's Guled's brother.

20 MS. ATWAL: Yes.

21 THE COURT: Guled's brother can be brought back in
22 because he didn't say anything.

23 MS. ATWAL: Okay. Nope.

24 THE COURT: And -- and --

25 MS. ATWAL: His mom.

1 THE COURT: His mother.

2 MS. ATWAL: Okay.

3 THE COURT: Those are the only two people that --

4 MS. ATWAL: There is another guy who is kind of a
5 heavysset shorter guy that was also removed, and I did not
6 hear him say anything either, and he's in the hallway.

7 THE COURT: Let's bring him back in.

8 THE WITNESS: Okay.

9 MS. BRANDL: Can we have one minute to talk to
10 him?

11 THE COURT: Yeah. Talk to him. And bring those
12 three back in so I can talk to them. We can do that out
13 here.

14 (End of bench conference.)

15 THE COURT: Let's bring those three back in, bring
16 them up here to the podium.

17 MS. ATWAL: Your Honor, I'm told that they left.

18 THE COURT: Okay. Did the mother leave?

19 MS. ATWAL: No, she's right here.

20 THE COURT: Okay. Come forth.

21 MS. ATWAL: Your Honor, do you want us to the side
22 or --

23 THE COURT: No, just there. Good afternoon.

24 WOMAN: Good afternoon.

25 THE COURT: All right. The Court ejected you

1 because I saw you talking and there was a commotion in the
2 back.

3 THE WITNESS: I know.

4 THE COURT: And what happens is usually the person
5 that's trying to do good gets caught, and you got caught
6 talking. And so I thought you were the main person talking.
7 My understanding through talking to the assistant -- the
8 special agent marshal and Ms. Atwal that you were not the
9 person that was causing the commotion; it was a young man
10 that has left.

11 And Mohamed Guled is welcome to come back because
12 he was not talking. And so that's Mr. Guled's brother, and
13 he's on -- he's on supervised release to me and he knows
14 better, and so he, Mr. Bruder, you make sure that he
15 understands that he's welcome back and that -- and the
16 record has been clear that he was not talking. All right?

17 MR. BRUDER: I will communicate that to him, Your
18 Honor.

19 THE COURT: And you may resume your seat, and
20 we'll continue.

21 MS. ATWAL: And, Your Honor, I'm presuming the
22 same will apply for the other young man.

23 THE COURT: Yes.

24 MS. ATWAL: Thank you, Your Honor.

25 THE COURT: Yes, so there was one other young man.

Was that you, sir? All right. Why don't you come forward.

I'd like the hands out. All right. And what's your name, sir?

MAN: Abdurahman.

THE COURT: All right, sir. I apologize for having you taken out. There was a commotion back there. I cannot have any commotions in the courtroom. And I have enough signs up. I have enough people in here. And I am going to enforce it to the tee. And again, I apologize, you got caught up in something that you weren't involved in. Do you accept my apology?

MAN: Yes, I do.

THE COURT: Okay. All right. Let's get the jury back in.

(Jury in at 2:30 p.m.)

THE COURT: You may continue.

DIRECT EXAMINATION (Cont'd)

BY MR. DOCHERTY:

Q. Mr. Yusuf, is Government Exhibit 139 still on the podium in front of you?

A. Yes.

Q. Could you open the folder, take a look at the document that's in there, and let me know when you're ready to proceed?

A. I'm ready.

1 Q. Okay. Is that an application that you filled out?

2 A. Yes.

3 Q. Does it have your signature on it?

4 A. Yes.

5 Q. And does that look like the original document that you
6 completed?

7 A. Yes.

8 Q. All right?

9 MR. DOCHERTY: Move the admission, Your Honor, of
10 Government's 139.

11 MR. MOHAMMAD: No objection.

12 MR. NESTOR: No objection, Your Honor.

13 MR. BRUDER: No objection.

14 THE COURT: 139 will be admitted.

15 (Government Exhibit No. 139 is received.)

16 BY MR. DOCHERTY:

17 Q. Sir, this is entitled Consumer Account Application. Is
18 that correct?

19 A. Correct.

20 Q. And it's from the Wells Fargo Bank. Is that accurate?

21 A. Correct.

22 Q. Looking at this, do you see your name on there?

23 A. I do.

24 Q. Okay. And can you, with your finger, just circle your
25 name on that application?

Yusuf - Direct

1 A. (Complying).

2 Q. And do you see the date of this application?

3 A. I do.

4 Q. And, again, using your finger, could you circle the
5 date?

6 A. (Complying).

7 Q. And just for the record, the date is on the second line
8 from the top on the far right and the name is on the second
9 line -- or down near the bottom on the left-hand side. Is
10 that accurate, Mr. Yusuf?

11 A. Yes.

12 Q. What is the date on which you applied to open this
13 account?

14 A. May 5th, 2014.

15 Q. And on this Consumer Account Application from Wells
16 Fargo Bank, do you see the types of accounts that you're
17 trying to open?

18 A. Yes.

19 Q. What kinds of accounts are you trying to open?

20 A. A checking account and a savings account.

21 Q. Were you successful?

22 A. Yes.

23 Q. Did you have money to put into, you know, when you open
24 a bank account, you usually have to make a initial deposit.

25 Did you have some money to put in?

1 A. I don't remember.

2 Q. Okay. That's okay. And that date on this, the date on
3 the second line from the top, way over on the right, look at
4 that, and does that have some relation to the date of issue
5 of your passport?

6 A. It does.

7 Q. What --

8 A. It's the same day.

9 Q. It's the same day. And why would it be the same day?

10 A. It was right after I left the passport office I went to
11 the bank on Nicollet and Lake to open up a bank account.

12 Q. Why were you opening up a bank account?

13 A. So I could deposit money into it and buy a airplane
14 ticket that way.

15 Q. Up until this point in your life, had you ever had a
16 bank account before?

17 A. No.

18 Q. And what was this bank account intended to help you do?

19 A. Get a debit card and purchase a airline ticket.

20 Q. You said that the first time you went to the passport
21 office, you went together with Adnan Farah, No. 5, correct?

22 A. Correct.

23 Q. Did Adnan Farah also get a passport?

24 A. He did.

25 Q. Was he able to use that passport, though, to travel?

1 A. No.

2 Q. Can you explain that answer, please?

3 A. The day after he left the passport office, his passport
4 arrived at his house.

5 Q. That fast?

6 A. That fast. The next day. He wasn't expecting it so
7 soon. His father got to it before he did. And his family
8 was outraged.

9 Q. And how did their family -- how did his family express
10 that outrage? What form did it take?

11 MR. NESTOR: Object, Your Honor. Calls for
12 speculation, hearsay.

13 THE COURT: Were you present?

14 THE WITNESS: No, I was not.

15 THE COURT: Sustained.

16 BY MR. DOCHERTY:

17 Q. How -- how did you hear that the family was outraged?

18 A. Adnan.

19 Q. What did Adnan tell them?

20 A. That his family --

21 Q. No, did Adnan tell you?

22 A. Yes.

23 Q. Okay. And was Adnan there when this happened?

24 A. He was.

25 Q. All right. And was this passport a passport that was

intended to be used for travel to Syria?

A. Yes.

Q. And by telling you what had happened, did this help you in your own plans to travel to Syria?

A. Yes.

Q. All right. So what did Adnan tell you had happened when the passport arrived?

A. He was sleeping and his dad woke him up saying, "What do you need a passport for?" They took away his phone or a lot more, kept a closer eye on him, took away his passport.

Q. Okay. What about Adnan's brother, Mohamed, did he tell you anything about any spillover effect from Adnan onto him, Mohamed, No. 6 --

A. Yes. He didn't have -- he knew his passport was in the house, but he didn't have access to it. But afterwards, they took both of the passports out of the house, and he said they were keeping a closer eye on him too.

Q. And did he know, Mohamed Farah that is, know where his own passport had been taken to?

A. He did not.

Q. So was either Adnan or Mohamed Farah able to travel at this time?

A. They were not .

Q. Did Abdirizak Warsame talk with you about trying to get a passport?

Yusuf - Direct

1 A. Yes.

2 Q. And what did Abdirizak Warsame tell you about his
3 efforts to try to get a passport?

4 A. That he had been to the passport office a couple of
5 times. He had trouble getting the right amount of
6 identification needed to apply for a passport.

7 Q. So in the end, was he able to get a passport, at least
8 in the spring of 2014?

9 A. In the spring of 2014, no.

10 Q. So of the people who had been planning to go to Syria in
11 the spring of 2014, how many actually wound up getting
12 passports and being able to travel?

13 A. Just one.

14 Q. And that would be?

15 A. Abdi Nur, No. 12.

16 Q. And what about yourself?

17 A. I did not travel to Syria, no.

18 Q. Well, I'm just -- I'm sorry. My question was not a good
19 one. How many were -- had the ability, had what they needed
20 to go and travel to Syria I meant to say.

21 A. No. 12, Abdi Nur; and No. 7, Yusuf Jama; No. 16, me; and
22 No. 13, Guled Omar. Everyone else ran into trouble ,
23 obstacles, I would say.

24 Q. All right. Now, a little while ago, you had been
25 talking about Mr. Omar, explaining a plan to drive to Mexico

1 and make their way to Syria from Mexico. Do you remember
2 that testimony?

3 A. I do.

4 Q. What, if anything, did defendant Guled Omar say about
5 that plan to go to Mexico, not the first -- not the -- not
6 at that first meeting but did you talk about it later?

7 A. He did.

8 Q. All right. And did he say it to you?

9 A. Yes.

10 Q. And what did he say?

11 A. That -- that the Mexico was the way to go for him
12 because other people had done it before. He went into a
13 story about how guys years ago who were trying to join
14 al-Shabaab went through that, went through Mexico to
15 eventually get there. They were stopped in Nevada or
16 Arizona by a cop but they proceeded on making it there.

17 Q. And whenabouts was it that defendant Guled Omar told you
18 this story about the al-Shabaab travellers that went through
19 Mexico?

20 A. In the spring of 2014.

21 Q. Can you be any more precise than that?

22 A. I can't.

23 Q. At one point did you and Guled Omar go and collect Guled
24 Omar's student aid money?

25 A. We did. We went to MCTC.

1 Q. When did you go to MCTC?

2 A. It was somewhere in May. I can't --

3 Q. And what does MCTC stand for?

4 A. I think it means Minnesota Community Technical College.

5 Q. Is -- do you know Guled Omar to have been a student at
6 that institution?

7 A. Yes.

8 Q. Tell us what happened when Guled Omar went to collect
9 his student aid money in the spring of 2014 from MCTC.

10 A. He would find out -- he found out that he would get less
11 than he anticipated.

12 Q. Do you remember how much he anticipated getting?

13 A. 5,000.

14 Q. And is that something he told you?

15 A. Yes.

16 Q. And do you remember how much he actually got?

17 A. He got about 4,200, 4,300, somewhere around there.

18 Q. And did that have any effect on his ability to travel
19 through Mexico?

20 A. It did. He needed all the money he could get to go to
21 Mexico.

22 Q. I want to direct your attention to something that
23 happened a few days before you yourself tried to leave. Did
24 you have a conversation with Guled Omar about an attempt he
25 made to get to Mexico?

Yusuf - Direct

1 A. Yes.

2 Q. And did Guled Omar describe some events to you?

3 A. Yes.

4 Q. Can you repeat to the jury, please, what it was that
5 Guled Omar told you that day in May of 2014?

6 A. So it was Guled Omar, No. 13, and Abdi Nur, No. 12, they
7 came to my house in Inver Grove Heights, and Guled told me
8 his family stopped him from going to Mexico. He was all
9 packed up and ready to go. He was to leave with Yusuf Jama,
10 No. 7, and Abdirahman Bashir, No. 3. As he was getting in
11 the rental car going, his family caught on and they stopped
12 him.

13 Q. What, if anything, did Guled Omar tell you about what
14 the plans were of himself and Abdirahman Bashir and Yusuf
15 Jama that day? What were they planning to do?

16 A. They were planning on driving to California, going
17 across the border from San Diego and leaving through Mexico.

18 Q. And when was this conversation with Guled Omar where he
19 told you about this attempt to leave?

20 A. It was about a week before I left.

21 Q. And on that day, about a week before you tried to leave,
22 where were you when you had this conversation?

23 A. At -- in -- at my house in Inver Grove Heights. We were
24 in the parking lot.

25 Q. You said that Abdi Nur was there as well?

Yusuf - Direct

1 A. Yes.

2 Q. No. 12?

3 A. 12.

4 Q. Was anyone else there?

5 A. No, it was just us three.

6 Q. All right. Did you have an opportunity to observe Guled
7 Omar's mood or how he felt about this?

8 A. He was down.

9 Q. Now, circling back to the bank account that you opened
10 up on the 5th of May, did you eventually deposit a sum of
11 money into that bank account?

12 A. I did.

13 Q. Let's begin with this. Where did you get the money to
14 put into that account?

15 A. Yusuf Jama, No. 7.

16 Q. All right. How much money did you get from Yusuf Jama,
17 No. 7?

18 A. About, all in all, 1,500.

19 Q. And tell us, please, how it was that that money was
20 given to you.

21 A. So the first he gave me a thousand one time and 500
22 another time. So the first time it was me, Mohamed Farah,
23 Amar Rashid, and we were driving. And we picked Yusuf up,
24 and he gave me the thousand dollars right there in cash.

25 Q. In the car?

1 A. Yes. The second time, the day we went shopping the day
2 before, May 28th, I think, May 27th, Abdi gave me \$500 and
3 said it was from Yusuf.

4 Q. You mentioned a name there that I don't think we've
5 heard before, Amar Rashid. Who is he?

6 A. He's -- he was our friend at the time.

7 Q. Was he a part of the group?

8 A. No.

9 Q. Was he part of plans to go to Syria?

10 A. No.

11 Q. And did he have any reaction to seeing Yusuf Jama hand
12 you a thousand dollars in the car?

13 A. He was curious, but we didn't tell him anything.

14 Q. Did you get any other money in order to deposit it into
15 your new Wells Fargo Bank account?

16 A. Yes.

17 Q. Okay. Can you tell us about that other money, please?

18 A. I -- I --

19 Q. Okay. Let's -- let's do this. I have an exhibit that
20 may help. Mr. Yusuf, I've just handed you -- excuse
21 me -- what's marked for identification as Government Exhibit
22 No. 140. It looks like a bank statement. Is it your bank
23 statement?

24 A. Yes.

25 Q. Okay. And what period of time is it -- does that bank

Yusuf - Direct
1 statement cover?

2 A. 5/15 to 5/27.

3 Q. And does that cover the period of time when you were
4 making deposits into that account?

5 A. Yes.

6 Q. Okay. You've reviewed that statement before coming to
7 court today?

8 A. Yes.

9 Q. Did you find it to be accurate? Did it square with your
10 memory of how things had happened?

11 A. Yes.

12 MR. DOCHERTY: Your Honor, move at this time the
13 admission of Government Exhibit 140.

14 MR. MOHAMMAD: No objection.

15 MR. NESTOR: None.

16 MR. BRUDER: No objection.

17 THE COURT: 140 will be admitted.

18 (Government Exhibit No. 140 is received.)

19 BY MR. DOCHERTY:

20 Q. So Mr. Yusuf, this is a Wells Fargo Way2Save checking
21 account. Do you see that?

22 A. Yes.

23 Q. And I'm going to expand part of it. Is your name on
24 there?

25 A. Yes.

1 Q. Turning to page 2 of this exhibit, and this is a series
2 of deposits and withdrawals. Is that correct?

3 A. Yes.

4 Q. I'm going to expand the deposits and withdrawals
5 description. And I'm just going to ask you to start on the
6 far left and just go across the top and tell us what -- you
7 see the italics up on the very top? And you can look on the
8 screen as well if that's hard to read.

9 A. Yes.

10 Q. Okay. Can you just sort of go from left to right and
11 tell us what these different -- different categories are?
12 So the first one is what?

13 A. A deposit of \$73.

14 Q. No, no, I'm sorry. Is the first one the date?

15 A. 5/15.

16 Q. Okay. And then the next column is the check number, is
17 that right, if there is one?

18 A. Yes.

19 Q. And then the next one is a description?

20 A. Yes.

21 Q. Correct? And then the amounts for deposits are in one
22 column and withdrawals are in the other, correct?

23 A. Correct.

24 Q. Okay. So let's take a look at few of these. Can you
25 turn your attention down towards the lower half of this, and

look at the date of 5/23. Do you see that?

A. I see it.

Q. Do you see a series of deposits being made on that day?

A. I do.

Q. Did you make those deposits?

A. I did.

Q. All right. So here we are. How much was the first deposit for?

A. \$300 on May 23rd.

Q. Do you remember making that deposit?

A. I do.

Q. Okay. Tell us, did you go to a teller? Did you use a -- how did you make the deposit?

A. At a ATM machine at the Wells Fargo on Nicollet.

Q. So a -- was it in a bank or in a grocery store or a gas station or --

A. It was at the bank.

Q. Which branch of Wells Fargo were you at?

A. The Nicollet one, Nicollet and Lake.

Q. Is that the same one you went to open the account in the first place?

A. Yes.

Q. And did you go by yourself or did anyone go with you when you made this deposit?

A. Someone went with me.

Q. Who was it that went with you?

A. A couple of people, actually. Guled Omar, No. 13.

Q. Mm-hmm.

A. Abdi Nur, No. 12.

Q. And were they -- where were they when you were making this deposit at the ATM, these deposits, rather, at the ATM machine?

A. They both went inside the bank. There were other people standing outside too.

Q. Who was standing outside?

A. No. 5, Adnan Farah; No. 6, Mohamed Farah.

Q. How -- you see there's a 300, a 100, a 100. Do you remember how quickly you made those?

A. Back-to-back, I think. Within a couple of minutes.

Q. Okay. I've handed you several manilla folders marked -- and inside them are exhibits. They're marked for identification as Government's 41, 42, 43, and 44. Have you seen those before?

A. Yes.

Q. And are those -- those have a photograph on them as well, correct?

A. They do.

Q. Who is the photograph of?

A. Exhibit 41 is me. Exhibit 42 is me. Exhibit 43 is me. And Exhibit 44 is me and Mohamed Farah.

1 Q. Okay. And are these accurate pictures?

2 A. They are.

3 Q. Do these pictures look like they're taken with the ATM
4 camera as you made these deposits?

5 A. Yes.

6 MR. DOCHERTY: Move the admission, Your Honor, of
7 Government's 41, 42, 43, 44.

8 MR. MOHAMMAD: No objection.

9 MR. NESTOR: No objection.

10 MR. BRUDER: No objection.

11 THE COURT: 41, 42, 43, and 44 are admitted.

12 (Government Exhibit Nos. 41, 42, 43, and 44 are
13 received.)

14 BY MR. DOCHERTY:

15 Q. So looking first at Government's Exhibit 41, that's the
16 photo at the bottom, correct, I've just magnified on the
17 screen?

18 A. Correct.

19 Q. And that's a picture of you?

20 A. Yes.

21 Q. And then looking at the top portion, do you see there
22 the amount that's being deposited?

23 A. \$100.

24 Q. And can you circle that, please?

25 A. (Complying).

1 Q. And do you see a date and a time that that's being
2 deposited?

3 A. 5/23/2014, 2:27 p.m.

4 Q. And for the record, the amount is in the lower right and
5 the date and time is in the upper left. Is that accurate?

6 A. Yes.

7 Q. All right. So 2:27. Same -- I won't expand it this
8 time. Same picture of you down below?

9 A. Yes.

10 Q. And then looking up above, what time, what date and time
11 was this made?

12 A. 5/23/2014, 2:40 p.m.

13 Q. And what's the amount?

14 A. Another hundred dollars.

15 Q. Again, I won't expand the picture, but that's you again,
16 isn't it?

17 A. Yes.

18 Q. And what's the date and time where this deposit gets
19 made?

20 A. 5/23/2014 and 2:41 p.m.

21 Q. All right. And what's the amount?

22 A. \$300.

23 Q. Was that all of the money that you had?

24 A. No.

25 Q. That 500? Okay. Did you -- why -- what were your

1 reasons for not depositing all the money at once?

2 A. To avoid getting asked questions where I was getting the
3 money from at the bank.

4 Q. What did you -- where were you keeping all this money?
5 Before you put it in the bank, that is.

6 A. Either at my house or I told Abdi Nur to hold some of it
7 for me too.

8 Q. How much of it was Abdi Nur holding for you?

9 A. I think a thousand dollars.

10 Q. Now, what were your intention -- your original
11 intentions as far as the timing of putting all of this money
12 into the bank, how -- how spread out were you going to make
13 these deposits?

14 A. Spread out to not, like, cause suspicion but fast enough
15 to buy a plane ticket too.

16 Q. And so did you return to the bank later on 5/23 of 2014?

17 A. I believe so, yes.

18 Q. Well, let's take a look, then, at Government's
19 Exhibit 44. Now, here the picture is a little different,
20 isn't it?

21 A. Yes.

22 Q. All right. Oops. Hold on. Is that you?

23 A. Yes.

24 Q. Whose car are you in?

25 A. Abdi Nur's.

Q. What kind of car does Abdi Nur have?

A. A Volkswagen, a blue Volkswagen Jetta.

Q. Is there any damage -- was there, in the spring of 2014, any damage on that car?

A. The left side mirror was broken.

Q. Is the left -- the driver's side mirror?

A. Yes.

Q. Is that visible in this photograph?

A. It is.

Q. Okay. And is that you behind the wheel?

A. That is.

Q. Okay. We can see a person on the other side of the car. Do you agree?

A. Yes.

Q. Do you also agree that from this photograph you can't really identify that person?

A. Yes.

Q. Do you know who that person is?

A. I do.

Q. Who was with you when this photograph was taken?

A. Mohamed Farah, No. 6.

Q. Looking at the top portion, same questions as before really. What's the date and time of this deposit?

A. 5/23, 7:37 p.m.

Q. Okay. Now, by the way, I didn't ask this, but this

1 obviously wasn't an inside the bank ATM. Where was this
2 ATM?

3 A. The parking lot of the Nicollet and Lake Wells Fargo.

4 Q. So you're at the same bank, you're just outside instead
5 of inside?

6 A. Yes.

7 Q. And besides Mohamed Farah, was anybody else with you?

8 A. No.

9 Q. And how much money is being put in with this deposit?

10 A. \$1,000.

11 Q. Now, earlier you said that Yusuf Jama had handed you a
12 thousand dollars in the car? Remember, this is the
13 interaction that puzzled Amar Rashid?

14 A. Yes.

15 Q. Okay. And then you said that the day before you left
16 you got another \$500. Do you remember that?

17 A. Yes.

18 Q. All right. Now, we've just seen you, though, on 5/23
19 deposit \$1,500. So my question is, where's the other 500
20 come from?

21 A. Saleban Duale gave me \$500.

22 Q. Okay. And you deposited that as well?

23 A. Yes.

24 Q. All right. And go back to 140 which is the bank
25 statement. And, again, we'll just look at this set of

1 transactions down at the bottom. I think I've cut off one
2 of the deposits. But look at the second line from the
3 bottom. Do you see that, Mr. Yusuf?

4 A. Yes.

5 Q. All right. What date does that transaction take place
6 on?

7 A. May 27th, 2014.

8 Q. How much money are you spending?

9 A. \$1,427.

10 Q. All right. And looking in the center at the
11 description, what are you spending \$1,427.05 on? What are
12 you getting for your money?

13 A. A plane ticket.

14 Q. How do you know you're getting a plane ticket from
15 looking at this portion of Government's Exhibit 140?

16 A. Aeroflot was the carrier.

17 Q. How did you go about buying tickets on Aeroflot? What
18 method did you use? Did you go to a travel agent? Did you
19 go to an office? Did you call them? Did you -- or what did
20 you do?

21 A. It was on-line through Kayak.

22 Q. And how did you settle on Aeroflot? That's the Russian
23 national carrier, isn't it?

24 A. Yes.

25 Q. It's a little -- you'd agree, a little unusual choice of

airlines?

A. Yes.

Q. Okay. How did that come about?

A. It was the cheapest ticket.

Q. And what was the route that you were going to follow, if you remember?

A. MSP to New York to Moscow to Turkey.

Q. Which city in Turkey were you going to fly into?

A. Istanbul.

Q. Aeroflot all the way?

A. I believe so.

Q. Okay. And was this a one-way or a round trip ticket?

A. Round trip.

Q. Why did you buy round trip if you had no intention of coming back?

A. To avoid law enforcement.

Q. Was there a price difference between one-way and round trip?

A. One ways are cheaper. Round trips are more expensive.

Q. Were you going to go on this trip by yourself or with anybody else?

A. I was going with Abdi Nur.

Q. Had you and Abdi Nur had any -- and Abdi Nur is No. 12?

A. Yes.

Q. Did you and Abdi Nur have any conversations about making

1 this trip?

2 A. We have, we did, yes.

3 Q. Had you agreed on your route?

4 A. Yes.

5 Q. And were the two of you buying your tickets at about the
6 same time?

7 A. Yes.

8 Q. Did you and he communicate about -- well, let me back
9 up. Had you ever gone on-line and bought

10 airline -- international airline tickets with a debit card
11 before?

12 A. No.

13 Q. All right. How challenging was it?

14 A. Not too challenging.

15 Q. Okay. Were you apprehensive before you did it?

16 A. Yes.

17 Q. Okay. And did you and Abdi Nur maybe talk about that?

18 A. Yes.

19 Q. Did you and he have a code worked out as to how to
20 signal each other whether you had been successful or not?

21 A. Yes.

22 Q. Can you tell the jury about that code, please?

23 A. We were to text each other, like we normally would, and
24 I would ask him how he was doing. He would ask me how I was
25 doing. And if I said I was doing good, he -- that meant I

1 got my ticket and if he was doing good, he got his.

2 Q. What would the code be if you hadn't got your ticket?

3 A. I'm not doing good.

4 Q. You testified 20 or 30 minutes ago that once you got to
5 Istanbul you were supposed to go to the Blue Mosque,
6 correct?

7 A. Correct.

8 Q. And at the Blue Mosque in Istanbul did you have a way of
9 getting in touch with ISIL?

10 A. Yes.

11 Q. All right. Let's talk about that. Where did
12 you -- from who did you get directions about how to get in
13 touch with ISIL?

14 A. Abdi Nur, No. 12, and Abdirahman Daud, No. 4.

15 Q. Where were you when you got those directions?

16 A. We were in Bloomington in Abdi's car, Abdi Nur, No. 12,
17 sorry.

18 Q. And where were you at any specific place in Bloomington
19 or driving around or what?

20 A. I was at Dar al-Farooq in Bloomington, and they picked
21 me up from there.

22 Q. And were you moving or were you sitting in the parking
23 lot?

24 A. We left the parking lot, but we just parked in a
25 neighborhood.

1 Q. And when you were parked in this neighborhood near Dar
2 al-Farooq Bloomington, when -- when was this? How close to
3 your departure date were you?

4 A. Very close. Abdi already had his ticket and I already
5 had mine, so a couple of days before.

6 Q. And let's take this up in turn. Do you remember Abdi
7 Nur saying things and Abdirahman Daud saying things
8 separately?

9 A. Yes.

10 Q. And what did Abdi Nur tell you about how to get in touch
11 with ISIL once you were in Istanbul at the Blue Mosque?

12 A. What did -- can you repeat that question?

13 Q. Sure. What did Abdi Nur tell you about how to get in
14 touch with ISIL?

15 A. He -- first he gave me a Yahoo draft account -- I mean a
16 Yahoo account with the name gonepast21. I was to look in
17 the draft section of it, and that's where I saw a lot of
18 messages, and it was ISIL fighters communicating that way.
19 That's how they communicated. He also gave me two phone
20 numbers.

21 Q. Let's take those up in turn. Let's start with this
22 Yahoo account gonepast21. And explain to the jury how you
23 use draft folders to communicate with people. And then I'd
24 also ask you, sir, to tell the jury why you use draft
25 folders, what advantage there is to that versus just sending

1 a plain old e-mail. Can you do that?

2 A. Okay. So you just create a regular account on Yahoo,
3 Google, Gmail, anything, and what we would do is just start
4 typing a message and just exit out of there and it
5 automatically saves it as a draft so someone else with that
6 account can go to drafts and see the message you left. The
7 reason we do that is because we wanted to avoid law
8 enforcement detection, and we thought we they couldn't
9 intercept those messages.

10 Q. And by receiving it in the draft folders, is the message
11 actually transmitted?

12 A. No.

13 Q. Okay. Did you look in the gonepast21 draft folder?

14 A. Yes.

15 Q. And in there did -- give us an idea of how many messages
16 you saw in that folder.

17 A. A lot of messages.

18 Q. All right. Hundreds? Thousands?

19 A. Hundreds.

20 Q. Dozens? Hundreds of messages. Did you read some of
21 those messages?

22 A. I did.

23 Q. And did those messages have things in common?

24 A. Yes.

25 Q. What things in common did those messages have,

Yusuf - Direct

1 Mr. Yusuf?

2 A. Every -- it was either people planning on how to leave
3 the United States or people over there communicating with
4 each other.

5 Q. And what sorts of things were they saying to each other?

6 A. Well, the earlier drafts was them planning on how they
7 were going to leave the United States, and the later drafts
8 were like, hey, I'm in the city or where are you, and they
9 were communicating that way.

10 Q. So were they asking for a pick up?

11 A. Yes.

12 Q. And now tell us about the two telephone numbers and
13 whether -- did you get the gonepast21 draft e-mail technique
14 and account name from Abdi Nur or from Abdirahman Daud?

15 A. Abdirahman Daud.

16 Q. All right. And then you also told the jury that you got
17 a couple of telephone numbers?

18 A. Yes.

19 Q. Tell us, first of all, did you get those from Abdi Nur
20 or did you get those from Abdirahman Daud?

21 A. Abdirahman Daud.

22 Q. Okay. And those telephone numbers, what were
23 they -- what were you to use them for?

24 A. I was to go to Istanbul, go to the Blue Mosque and call
25 those numbers and -- one of those two numbers, and the

people on the other line were going to help me get to Syria.

Q. Were you told what kind of people were on the other end of that line?

A. I was not.

Q. But you were told they would help you get to Syria?

A. Yes.

Q. And, again, why did you want to go to Syria?

A. To fight with ISIL.

Q. Were these plain old Turkish telephone numbers?

A. I -- I had never seen phone numbers like that. I don't know what Turkey phone numbers are.

Q. You've never seen phone numbers like that. Was there anything distinctive or strange about these phone numbers?

A. A lot of digits.

Q. Were you to use any particular app when you made these phone calls?

A. Yes.

Q. And who told -- first of all, what app were you supposed to use?

A. I was supposed to use magicJack.

Q. Please tell the jury, if you know, what magicJack is?

A. MagicJack is an app you can download, and if you have Wi-Fi, it's pretty much a phone. You can make numbers off of -- I mean you can make calls off your iPad, iPod, iPhone, whatever.

1 Q. Did you download the magicJack app?

2 A. I did.

3 Q. Were you told about the magicJack app at this same
4 meeting where you got the two telephone numbers and the
5 gonepast21 account?

6 A. Yes.

7 Q. All right. Who did you get -- who did you get the
8 advice on magicJack about? Was that from Abdi Nur or was
9 that from Abdirahman Daud?

10 A. I can't say for sure who it was.

11 THE COURT: I'm sorry. I didn't hear you.

12 THE WITNESS: I can't say for sure who that was.

13 BY MR. DOCHERTY:

14 Q. Some time ago we were talking about you getting back in
15 touch with Hanad Mohallim using a combination of Kik and
16 Surespot. Remember that testimony?

17 A. Yes.

18 Q. Did you also have another way to get in touch with Hanad
19 Mohallim?

20 A. Yes.

21 Q. Can you tell the jury what that other way of getting in
22 touch with Hanad Mohallim was?

23 A. It was a Gmail account. We were going to use it like we
24 were to use the Yahoo account. I set it up. The username
25 was ChrisBelmontBHS33. I don't -- we exchanged a couple of

1 messages through the draft folders that way.

2 Q. Just a couple of messages?

3 A. Yes.

4 Q. Okay. Did you -- now, you testified earlier that
5 you -- when you were in touch with Hanad Mohallim by Kik and
6 Surespot, you shared that information with defendant Guled
7 Omar, correct?

8 A. Correct.

9 Q. Did you share the ChrisBelmontBHS33 account with Guled
10 Omar?

11 A. No.

12 Q. Why not? I mean, he was the emir, right?

13 A. Yes.

14 Q. Why did you not share this information with him?

15 A. That was just I guess me and Hanad's way of
16 communicating with each other in case I -- I think I needed
17 to communicate with him or something. I didn't communicate
18 with him afterwards. It was created before I talked with
19 Guled about Hanad.

20 Q. I forgot to ask something about the gonepast21 draft
21 e-mails. When you were in the gonepast21 draft e-mail
22 folder, did you see any messages in there from Hanad
23 Mohallim?

24 A. Yes.

25 Q. And what sorts of things was Hanad Mohallim saying in

these draft messages?

A. He -- his messages were towards the beginning on how he was planning on leaving the United States. I reread those messages. Some of the later messages was just asking him how people are doing to other people. There were a lot of nicknames on the draft, so I didn't know who he was talking to.

Q. All right. A lot of nicknames. Were there any nicknames that you did know who he was talking to?

A. Yes.

Q. All right. Can you tell the jury about that, please?

A. A nickname I recognized was Tooth, also known as -- I mean that's Douglas McCain, No. 9.

Q. And do you know Mr. McCain?

A. I do not.

Q. Never met him?

A. No.

Q. Know who he is?

A. I know of him.

Q. How do you know of him?

A. I found out that he traveled -- he traveled to Syria with Hanad Mohallim.

Q. How did you find that out?

A. The group used to talk about him. Reading those Yahoo draft accounts, it was him and Hanad plotting on how they

Yusuf - Direct
1 were getting out.

2 Q. So you saw communications between Hanad Mohallim and
3 Tooth, No. 9, Douglas McCain in the gonepast21 e-mail
4 account?

5 A. Yes.

6 Q. Or draft e-mail folder, excuse me?

7 A. Yes.

8 Q. Mr. Yusuf, I want to turn now to the day before you
9 left. Did you go to school that day?

10 A. Yes.

11 Q. All right. Did you stay in school?

12 A. The day before I left, yes.

13 Q. The day before you left. Okay. And then after school
14 did you go anywhere and meet anybody?

15 A. I did.

16 Q. Tell us where you went and who you met?

17 A. I went to the al-Farooq Como. I met No. 12, Abdi Nur,
18 and No. 6, Mohamed Farah, there. We then picked up No. 15,
19 Abdirizak Warsame, from MCTC.

20 Q. And once you had picked up Abdirizak Warsame, No. 15, at
21 MCTC, did -- what did the four of you do?

22 A. We went to -- we went shopping for our trip.

23 Q. All right. What car did you use to drive in?

24 A. The blue Volkswagen Jetta which belonged to Abdi Nur.

25 Q. In the car that day, did you get any -- did you get any

Yusuf - Direct

1 money?

2 A. I did.

3 Q. All right. Who'd the money come from?

4 A. No. 7, Yusuf Jama.

5 Q. And how much money did you get from Yusuf Jama?

6 A. \$500.

7 Q. Now, Yusuf Jama wasn't in the car that day, was he?

8 A. He was not.

9 Q. So who actually handed you the physical cash?

10 A. No. 12, Abdi Nur.

11 Q. And how do you know that money was not coming from Abdi
12 Nur but instead was coming from Yusuf Jama?

13 A. He told me it was coming from Yusuf Jama.

14 Q. And is "he" Abdi Nur?

15 A. Yes.

16 Q. All right. Once you and Abdirizak Warsame and Mohamed
17 Farah and Abdi Nur are all in the blue Jetta,
18 where -- whereabouts did you go first?

19 A. We went to a store, sort of like a thrift shop store, in
20 South Minneapolis. I can't remember the address. But Abdi
21 bought a jacket from there.

22 Q. Okay. And after buying that, after Abdi Nur bought his
23 jacket at the thrift store in South Minneapolis, where did
24 the four of you go next?

25 A. We went to Edina, went shopping at the Edina Southdale

1 mall.

2 Q. Okay. Did you make any stops before you went to
3 Southdale?

4 A. I do not think we made any stops.

5 Q. All right. What did you do at Southdale?

6 A. We went to -- we went to three stores inside Southdale.

7 Q. Mm-hmm. Do you remember the stores?

8 A. Macy's, H & M, and Foot Locker.

9 Q. Now, I have -- you understand that at Macy's there
10 was -- you were found on some surveillance video --

11 A. I do.

12 Q. -- inside Macy's? And I'm just going to show that now.
13 I hope.

14 All right. Now, this is -- before we start
15 running the tape, do you recognize anyone in this still?

16 A. Abdi Nur, No. 12.

17 Q. And can you just put a checkmark beside Abdi Nur?

18 A. (Complying).

19 Q. Thank you. And I'm going to press play, and then if
20 someone else comes into view, I'm going to stop, and I'm
21 going to ask if you know who it is.

22 (Video played.)

23 A. I come into view.

24 Q. All right. That's you?

25 A. Yes.

1 Q. And what -- what are you wearing on your head?

2 A. A Nike thermal jacket.

3 Q. Okay.

4 (Video played.)

5 A. Other people come into view.

6 Q. Okay. Now, do you see this individual that I've just
7 circled?

8 A. Yes.

9 Q. Do you know who that is?

10 A. Yes.

11 Q. Who is it?

12 A. Mohamed Farah, No. 6.

13 Q. And this is you and Abdi Nur shopping for your trip,
14 correct?

15 A. Correct.

16 Q. What's Abdi Nur buying? If you remember.

17 A. I don't remember.

18 Q. Now, the person, do you see that there's a person
19 between the camera and Mohamed Farah?

20 A. Yes.

21 Q. All right. And who is that person?

22 A. No. 15, Abdirizak Warsame.

23 Q. Okay. And I'll just make a circle. Is that -- have I
24 circled Mr. Warsame?

25 A. Yes.

1 Q. And then here's another video. It looks like the same
2 clerk. Is it?

3 A. Yes.

4 Q. And that's -- is that you buying the thermal jacket that
5 we see later?

6 A. Yes.

7 Q. How did you pay for your purchases?

8 A. I don't remember. I'm sure it was the \$500 that Yusuf
9 gave me.

10 Q. I've just handed you a manilla folder, and inside it
11 there's a glassine envelope with a piece of paper inside it.
12 And is that a receipt from Macy's?

13 A. Yes.

14 Q. And is that a receipt that is dated the 27th of May,
15 2014?

16 A. Yes.

17 Q. Does that relate to the purchases that you made at
18 Macy's that night?

19 A. Yes.

20 MR. DOCHERTY: Your Honor, I'd move the admission
21 of Government's 57.

22 MR. MOHAMMAD: No objection.

23 MR. NESTOR: No objection, Your Honor.

24 MR. BRUDER: No objection.

25 THE COURT: 57 will be admitted.

(Government Exhibit No. 57 is received.)

BY MR. DOCHERTY:

Q. And on this, is there an indication on this receipt of form of payment?

A. Cash.

Q. And do you see a date and a time on this receipt?

A. I do.

Q. Okay. And is that it there?

A. Yes.

Q. And what's the date and the time on this receipt, please?

A. 5:07 p.m., 5/27/2014.

Q. Mr. Yusuf, I've just handed you another manilla folder with a glassine envelope inside it containing a piece of paper. And that's Government Exhibit 58. We're not going to admit it at this time, but I am going to ask you, do you recognize the handwriting on Government Exhibit 58?

A. I do not.

Q. You do not?

A. Do not.

Q. Okay. How much of Abdi Nur's handwriting have you ever seen?

A. I can't remember any.

Q. Is that because you mostly communicate with him by texting?

1 A. Yes.

2 Q. After you had made your purchases and you left
3 Southdale, did the four of you go anywhere else?

4 A. We were going to go home.

5 Q. Okay. Did you -- well, let me narrow the question down.
6 Instead of asking about the four of you, did you, yourself,
7 go anywhere else?

8 A. Oh, we went to a library in Edina.

9 Q. All right. And what did you do at the -- which library
10 in Edina was it? Do you remember?

11 A. I don't remember a specific name.

12 Q. Do you remember what it looked like?

13 A. It had like pillars. It looked like a newer library.

14 Q. Okay.

15 A. It was a white building.

16 Q. Close to Southdale?

17 A. Yes.

18 Q. Okay. And inside that -- what did -- what was the
19 purpose of you all going to the library?

20 A. I needed to print my itinerary out.

21 Q. And were you able to do that in the library?

22 A. Yes.

23 Q. Now, the other people who were there, Abdirizak Warsame,
24 Abdi Nur, Mohamed Farah, where were they when you were
25 printing out your itinerary?

1 A. No. 12, Abdi Nur; No. 6, Mohamed Farah, stayed inside
2 the car in the parking lot. And me and No. 15, Abdirizak
3 Warsame, went inside the library.

4 Q. Okay. Once you had printed out your itinerary at the
5 library, what else did you -- did you go anywhere else?

6 A. Not that I can remember.

7 Q. All right. What did you do for the rest of the evening?

8 A. We were to go home. Abdi -- Abdi Nur was supposed to
9 give me a ride home, but we picked up Guled Omar at
10 Cedar-Riverside, South Minneapolis.

11 Q. And once you had -- instead of going home you picked up
12 Guled Omar, and once had you picked up Guled Omar, where did
13 I guess now the five of you go?

14 A. We dropped off Guled Omar at Karmel.

15 Q. Okay.

16 A. Then Abdi was supposed to take us home, but he -- he
17 pulled over on the highway, and Saleban Duale gave me and
18 No. 15, Abdirizak Warsame, a ride home.

19 Q. All right. Did you spend any time with Guled Omar that
20 evening?

21 A. Yes.

22 Q. All right. And can you -- let's just rewind a little
23 bit, because the way the testimony went, you picked up and
24 then dropped off Guled Omar with nothing in between. Was
25 there something in between?

1 A. There was.

2 Q. Okay. And so once you picked up Guled Omar at
3 Cedar-Riverside, where did you go?

4 A. We picked up -- I got a -- I got a, how would I say it,
5 a luggage bag from No. 7, Mr. Jama, and he was by Augsburg
6 College, and we didn't pick him up, but he just handed me
7 the bag. I remember us watching a video that night too.

8 Q. All right. So who -- who is "we"? Who is the "we" that
9 watches the video?

10 A. No. 6, Mohamed Farah; No. 12, Abdi Nur; No. 13, Guled
11 Omar; No. 15, Abdirizak Warsame.

12 Q. All right. Where are you when you watch the video?

13 A. We're driving.

14 Q. All right. And how were you watching the video while
15 you're driving?

16 A. On Abdi Nur's phone.

17 Q. What kind of a video is this?

18 A. It's an al-Shabaab video.

19 Q. Okay. And tell us what happens in this al-Shabaab
20 video.

21 A. There is battles going on. There's some people talking,
22 there's people talking. I recognized some people from the
23 video.

24 Q. Okay. What language are they speaking?

25 A. Mostly English.

Q. And who did you recognize on that video?

A. No. 8, Troy Kastigar.

Q. How do you know Troy Kastigar?

A. I used to see him around when I was younger.

Q. There's -- there's quite a -- how -- are you the same age as Troy Kastigar?

A. I am not.

Q. Is he older than you or younger than you?

A. He's older than me.

Q. How much older?

A. I wouldn't know.

Q. Okay. How old were you when you used to see him around?

A. I was pretty young, at least ten years ago.

Q. And at that time, ten years ago, was he a full-grown man?

A. Yeah.

Q. Okay. Why would you, who would have been quite young at the time, know a full-grown man at that time?

A. I didn't know him personally.

Q. Okay.

A. I just -- he stuck out to me because he's Native-American and he hung around a lot of Somali people.

Q. Okay.

A. So he just stuck out to me.

Q. And you saw him in the video?

1 A. Yes.

2 Q. Did you see anyone else you knew in this al-Shabaab
3 video?

4 A. No.

5 Q. And when the al-Shabaab video was playing, did anybody
6 else recognize Troy Kastigar?

7 A. Yes.

8 Q. How do you know that -- before we say who the somebody
9 else was, how do you know that they recognize Troy Kastigar?

10 A. They told me they knew Troy Kastigar.

11 Q. And who was it that told you they knew Troy Kastigar?

12 A. No. 13, Guled Omar.

13 Q. What did Guled Omar say that made you realize he knew
14 Troy Kastigar?

15 A. He said that he helped that brother travel.

16 Q. All right. Was there any other discussion of travel
17 that night while watching this video?

18 A. Yes.

19 Q. All right. And who was it that said other things about
20 travel?

21 A. Me, Abdi Nur, Farah, upcoming travel the next day. I
22 can't -- a more specific question.

23 Q. Okay. All right. What did Abdirizak Warsame have to
24 say about travel that night?

25 A. He -- I can't remember a specific thing he said about

travelling that night.

Q. All right. What did defendant Mohamed Farah say about travel that night?

A. He -- I told -- he knew that I was leaving, and later that night when we were parting ways, he said that take care of myself and that he would see me soon.

Q. Okay. What did, over and above anything about Troy Kastigar, what did defendant Guled Omar say about travel that night?

A. I can't remember anything else he said.

Q. Okay. Can you just tell the jury, who in the group knew that you were going to be leaving for Syria on May the 28th of 2014?

A. No. 4, Abdirahman Daud; No. 6, Mohamed Farah; No. 12, Abdi Nur; No. 13, Guled Omar; No. 15, Abdirizak Warsame.

Q. Let's take those up in turn. No. 4, Abdirahman Daud, how do you know that he knew you were travelling?

A. Me and Abdi talked openly about our travel with him when he was -- when we were talking about the Yahoo draft accounts.

Q. And what about No. 12, Abdi Nur, how do you know that he knew you were travelling?

A. Me and him were supposed to travel together.

Q. And what about No. 6, Yusuf Jama -- or excuse me, No. 7, Yusuf Jama, how did he know you were travelling?

1 A. I told him.

2 Q. What about No. 13, Guled Omar, how did he know that you
3 were travelling?

4 A. He was the leader of the group, so he knew about
5 everyone's travel.

6 Q. Had you told him?

7 A. Yes.

8 Q. Let's turn to the next day, May the 28th, 2014. Did you
9 go to school that day?

10 A. Yes.

11 Q. Okay. How did you get to school that day?

12 A. My father dropped me off.

13 Q. As you and your father drove to school that day, that's
14 Heritage at this point?

15 A. Yes.

16 Q. Did you think you were going to see your father again?

17 A. I did not.

18 Q. Did he know that you were leaving?

19 A. He did not.

20 Q. What were your emotions like on that drive?

21 A. It was hard. I -- it was the last time I was going to
22 see my father, so we were -- I tried to talk about old
23 memories and stuff like that.

24 Q. Okay. Did you -- did he drop you off at school?

25 A. Yes.

1 Q. And did you just say good-bye and walk away?

2 A. I gave him a hug.

3 Q. Did you usually give him a hug in the morning?

4 A. No.

5 Q. Did you usually give him a hug at all?

6 A. No.

7 Q. How he did react to getting a hug?

8 A. He thought it was weird, but he didn't think anything of
9 it.

10 Q. And then how much school did you actually attend on
11 May 28th of 2014?

12 A. I attended one class only.

13 Q. Did anybody call you in sick that day?

14 A. No.

15 Q. All right. Why did you not bother to have anyone call
16 you in sick?

17 A. Because I wasn't going to be around to face the
18 consequences.

19 Q. Once you left school after first hour, what did you do?

20 A. I went to Dar al-Farooq Como and Abdi Nur came and
21 picked me up from there.

22 Q. What was Abdi Nur driving when he picked you up?

23 A. A blue Volkswagen Jetta.

24 Q. The same blue Volkswagen Jetta we've been talking about
25 for some time?

1 A. Yes.

2 Q. Was this -- were there any phone calls or other
3 communications, text messages, between you and Abdi Nur
4 before or after -- or before this pickup?

5 A. Yes, I told him to come pick me up from Dar al-Farooq.

6 Q. How did you tell him that?

7 A. Text message. No, actually, I called him. I called
8 him.

9 Q. Okay. And where did Abdi Nur take you?

10 A. To the light rail station.

11 Q. Why did he take you to a light rail station?

12 A. To avoid law enforcement.

13 Q. Well, how does going to the light -- well, what was the
14 alternative to going to the light rail?

15 A. Getting dropped off at the airport.

16 Q. Why is the light rail going to help you avoid law
17 enforcement versus the airport? They're both out in the
18 open, aren't they?

19 A. They are.

20 Q. So what was the thinking, if you can explain it?

21 A. He could get in trouble if they reviewed tapes and saw
22 him dropping me off at the airport. They would know he was
23 part of the plan or something.

24 Q. And do you remember which line, blue or green, you got
25 dropped off at?

1 A. The blue line.

2 Q. As you were leaving, did Abdi Nur say anything to you
3 about his plans for the day?

4 A. Yes.

5 Q. All right. What did he tell you?

6 A. That he was going to go see his family.

7 Q. And did he -- anyone specific in his family?

8 A. Zack Roble.

9 Q. Who is Zack Roble? We haven't heard that name before
10 which is why I ask.

11 A. He's No. 14, Mohamed Roble's, little brother.

12 Q. And who is No. 14, Mohamed Roble?

13 A. He was Abdi Nur's cousin, No. 12, Abdi Nur's cousin.

14 Q. And showing you Government Exhibit No. 45, is that a
15 photograph of a person you recognize?

16 A. Yes.

17 Q. And who is in that photograph?

18 A. No. 14, Mohamed Roble.

19 MR. DOCHERTY: Your Honor, move the admission of
20 Government 45.

21 MR. MOHAMMAD: No objection.

22 MR. NESTOR: No objection.

23 MR. BRUDER: No objection.

24 THE COURT: Be admitted.

25 ///

(Government Exhibit No. 45 is received.)

BY MR. DOCHERTY:

Q. And that's the same photograph that is on the face and name chart. Is that correct, Mr. Yusuf?

A. Yes.

Q. When you were dropped off at that light rail station, were you aware that you were being watched?

A. I was not.

Q. And have you since seen some surveillance photographs that were taken of you that day?

A. Yes.

Q. I've just handed you Government's Exhibit 34 and 35. Are those familiar to you?

A. Yes.

Q. All right. You've seen those before coming to court?

A. Yes.

Q. Are those photographs of you?

A. Yes.

Q. Taken on May the 28th of 2014?

A. Yes.

MR. DOCHERTY: All right. Your Honor, move the admission of Government's 34 and Government's 35.

MR. MOHAMMAD: No objection.

MR. NESTOR: No objection.

MR. BRUDER: No objection.

1 THE COURT: 34 and 35 are admitted.

2 (Government Exhibit Nos. 34 and 35 are received.)

3 BY MR. DOCHERTY:

4 Q. So this is Government Exhibit 34. And whereabouts is
5 this taken?

6 A. The Hiawatha light rail station.

7 Q. And the person in the photograph, who is that?

8 A. That's me.

9 Q. And same question, who is that?

10 A. That's me.

11 Q. And you're on the way to the airport on the train?

12 A. Yes.

13 Q. All right. When you got to the airport, what happened?
14 Just sort of walk us through the chronology there.

15 A. I got off the train, went up to MSP airport. As I
16 was -- I was at the gate and I was stopped from boarding the
17 plane by Special Agent John Thomas.

18 Q. And Agent John Thomas is in the courtroom now, is he
19 not?

20 A. Yes.

21 Q. What were you told by Agent Thomas that day?

22 A. That I was not boarding that flight.

23 Q. Was there some further conversation as well?

24 A. Yes.

25 Q. And what did you tell Agent Thomas was the reason for

your trip that day?

A. That I was vacationing in Istanbul.

Q. Was that true?

A. That was not true.

Q. And did you -- what else did you tell him about your travels? Were you going with someone? Were you going by yourself?

A. I told him I was going by myself.

Q. Did Mr. -- did Special Agent Thomas have anything to say to you about what he thought you were really up to?

A. Yes.

Q. What did he tell you?

A. He thought that I was going to Syria.

Q. How did you respond to his assertion that you were going to Syria?

A. Not good. I thought that they knew about the plan.

Q. And did you say anything to Agent Thomas when he told you he thought you were on your way to Syria?

A. Yes.

Q. What'd you tell him?

A. I told him that it wasn't true; that you guys are targeting me.

Q. Targeting you why?

A. Because I'm Muslim, I'm Somali, it's not fair, stuff like that.

1 Q. And did you believe that when you said it?

2 A. No.

3 Q. All right. How did you get home?

4 A. I took a taxi home.

5 Q. Had Agent Thomas told you anything about phone calls
6 being placed to your residence?

7 A. Yes.

8 Q. What had he told you?

9 A. He told me that he asked me if my parents knew where I
10 was, and I responded that I'm 18 years old, why would my
11 parents need to know where I am? He told me that there are
12 agents who are going to ask my parents where I was.

13 Q. All right. And how did that make you feel?

14 A. Not good.

15 Q. All right. What were your concerns about FBI agents
16 talking to your parents?

17 A. I didn't want my parents talking to the FBI. I -- I
18 rushed home as fast as I could, but they already talked to
19 the agents.

20 Q. What was the atmosphere like at home when you got there?

21 A. Not good, not happy, very tense, a lot of explaining to
22 do.

23 Q. All right. Were you able to explain things to your
24 parents?

25 A. Eventually, yes.

1 Q. What did you do with your very -- now, you've got
2 a -- the Surespot application. What did you do with that?

3 A. I deleted it.

4 Q. What did you do with the gonepast21 account?

5 A. I logged out of it. I didn't check it for awhile.

6 Q. Did you contact any members of the group and tell them
7 that you had had an unexpected surprise at the airport?

8 A. No.

9 Q. Why not?

10 A. That wasn't part of the plan. I was more worried about
11 what was going on at home. I was -- I was planning on being
12 out of the country. I didn't expect on being stopped.

13 Q. And when you -- I guess what I'm trying to ask is, is
14 there a reason that you held back from calling any other
15 member of the group and telling them, hey, I've been
16 stopped, we've got a problem. Is there a reason you didn't
17 make that call?

18 A. I didn't want law enforcement to look into that and see
19 that those were the people I was planning with.

20 Q. So what was the next time that you did encounter a
21 member of the group after May the 28th?

22 A. It was I saw Mohamed Farah, No. 6, and No. 13, Guled
23 Omar, at Karmel.

24 Q. How long after the 28th of May was that?

25 A. It was the Friday of that week, so maybe a day after,

two days after.

Q. Did you speak to either Mohamed Farah or Guled Omar?

Did they speak to you?

A. Yes.

Q. Tell us, please, about that conversation.

A. So it was -- it was brief. I talked with Guled, and I told him that I was subpoenaed and this -- I got stopped at the airport. He told me I had nothing to worry about. I talked with Mohamed inside the mosque. I told him the same story, that I got stopped at the airport. I asked him where Abdi was. He said Abdi is gone.

Q. And you said that you told defendant Omar that you had been subpoenaed. And Agent Thomas had served you with a subpoena at the airport. Is that correct?

A. Correct.

Q. I didn't cover that portion. Did you eventually tell the group generally that you had been stopped?

A. Yes.

Q. All right. How did you do that?

A. I guess that word got around. I don't remember every specific person that I told.

Q. Were you still active on social media at this time?

A. Yes.

Q. Did you use social media in any way to alert other members of the group that you had been stopped?

1 A. I posted a Tweet that said "the weather is hot today."

2 Q. And what did that Tweet mean?

3 A. That it was not good; that there would be problems.

4 Q. Had that code "the weather is hot today" been agreed
5 upon in advance?

6 A. No.

7 Q. So you were sort of counting on people to understand?

8 A. Yes.

9 Q. Did you -- is the school year over at this point or do
10 you still have a few days left?

11 A. I still have a few days left.

12 Q. So did you go back to school?

13 A. Yes.

14 Q. Were people at school surprised to see you?

15 A. Yes.

16 Q. In specifically was anybody -- did anybody send any
17 messages about being back in school?

18 A. Abdifatah Farah, Mohamed Farah's younger brother.

19 Q. All right. So there's Adnan Farah, No. 5; Mohamed
20 Farah, No. 6; and Abdifatah Farah?

21 A. Yes.

22 Q. Where does he fall in the birth order? Is he older or
23 younger than Adnan and Mohamed?

24 A. He's younger than the both of them.

25 Q. What was the message -- what was the text message that

he sent?

A. He said that Bones, which is me, is at school today to Mohamed.

Q. Why would Abdifatah Farah be surprised that you were in school?

MR. NESTOR: Objection. Speculation.

THE COURT: Sustained.

BY MR. DOCHERTY:

Q. Was Abdifatah Farah a part of the group?

A. He was not.

Q. Had Abdifatah Farah been attending any of these meetings?

A. He was not.

Q. Had you ever spoken with Abdifatah Farah about planning to travel to Syria?

A. I did not.

Q. And yet Abdifatah Farah sent a text saying Bones is in school?

A. Yes.

Q. And did you eventually go back into the gonepast21 draft folder?

A. Yes.

Q. Did you see any messages from Yusuf Jama?

A. I did.

Q. Excuse me, from Abdi Nur in there?

Yusuf - Direct

1 A. Not Abdi Nur.

2 Q. Not from Abdi Nur. Okay. So how did you learn that
3 Abdi Nur had reached Syria?

4 A. Through Mohamed Farah.

5 Q. Please tell us where that conversation took place, when
6 that conversation took place, and then I'll ask you about
7 the content.

8 A. It was at Karmel Mall. It was that Friday. He told me
9 that Abdi is gone and his family is looking for him.

10 Q. Did you ever hear, switching topics a little bit, but
11 did you ever hear what became of Yusuf Jama?

12 A. Yes.

13 Q. All right. Who did you hear that from?

14 A. I learned on my own that he, from the gonepast21
15 account, that he made his way to Turkey.

16 Q. And did he make it into Syria?

17 A. Yes.

18 Q. And as far as you know, is Yusuf Jama still alive today?

19 A. He is not.

20 Q. And do you -- what have you learned about the way in
21 which he died?

22 A. I was told that he died in a air strike and that his
23 body was blown in half.

24 Q. And which battle was this at?

25 A. The battle of Kobani.

Q. And that's a town in northern Syria?

A. Yes.

Q. All right. Who told -- who told you this?

A. Hanad Musse.

Q. And who --

A. No. 11.

Q. And is he on the chart?

A. No. 11.

Q. And why was it that Hanad Musse told you this?

A. To fill me on what happened to Yusuf.

Q. Once the shock of being stopped at the airport and put back unexpectedly into your regular life had passed, what did you do about going on with your life? At least at first.

A. I wanted to graduate from school. I, through my family, I stopped -- I pretty much stopped hanging out with people from the group.

Q. Okay.

A. I eventually got a job. I went to summer school, steered clear of any trouble --

Q. Okay. What sorts of --

A. -- that summer.

Q. What sorts of interests did you have that summer?

A. Just hanging around with my family a lot more, just playing sports, not -- since I lived in Inver Grove Heights,

1 staying in Inver Grove Heights more and not coming to
2 Minneapolis.

3 Q. You said a minute or two ago that you stopped hanging
4 around with the group, but did you ever hear from the group
5 again?

6 A. Yes.

7 Q. What was the first time that you've heard from the
8 group?

9 A. I can't remember a specific time, but I saw Hanad Musse
10 at a chiropractor in Minneapolis. It was completely random.
11 He asked me how I was doing. He told me that Yusuf left,
12 which I already -- I responded to I knew.

13 Q. And then after that, did you get in -- were you in
14 contact with anybody else after that?

15 A. No.

16 Q. Have you ever played a game called paintball?

17 A. Yes.

18 Q. All right. How many times have you played paintball?

19 A. Once.

20 Q. When was it that you played paintball?

21 A. Late August, the summer of 2014.

22 Q. Did you just decide to go play paintball one day or were
23 you invited by somebody?

24 A. I was invited to play paintball.

25 Q. Who invited you?

1 A. Guled Omar.

2 Q. How did the invitation come?

3 A. He reached out to me through Kik.

4 Q. And did you accept the invitation to go play some
5 paintball?

6 A. Yes.

7 Q. All right. Where was the paintball place? What town
8 was it in?

9 A. I think it was in Lakeville.

10 Q. So something of a drive from Inver Grove?

11 A. Yeah.

12 Q. Okay. How'd you get there?

13 A. Guled Omar, No. 13, picked me up.

14 Q. Was anybody else in the car with Guled Omar?

15 A. No. 4, Abdirahman Daud and No. 11, Hanad Musse.

16 Q. Now, you testified earlier that when Guled Omar got
17 elected emir that Abdirahman Daud, No. 4, was not happy with
18 the decision. Do you remember that?

19 A. Yes.

20 Q. And so was it any kind of a problem for the two of them
21 to be in a car together?

22 A. No.

23 Q. All right. Why not?

24 A. They just -- they didn't see eye to eye on the logistics
25 part of it, but we weren't talking anything logistical that

1 day.

2 Q. So on the way to paintball, if you remember, who sat
3 where in the car?

4 A. Guled was driving, Abdirahman Daud was in the front, and
5 Hanad Musse was next to me. No, wait. Hanad Musse was in
6 the front and Abdirahman Daud was next to me.

7 Q. Did you and Abdirahman Daud talk in the car that day?

8 A. Yes.

9 Q. Okay. What did you talk about?

10 A. We talked about Abdi Nur.

11 Q. What was it that defendant Daud said about Abdi Nur in
12 the car going to paintball that day?

13 A. That he was in contact with him through Snapchat.

14 Q. Okay. What's Snapchat?

15 A. It's an app where you can send pictures to one another
16 or videos so --

17 Q. So how can you be in contact with someone, can you send
18 messages?

19 A. You can. Or you can update your own profile sort of,
20 your own story it's called.

21 Q. All right. And so how was Abdi -- give us just as much
22 detail as you can about how Abdirahman Daud told you he was
23 using Snapchat to stay in touch with Abdi Nur.

24 A. They would contact each other through Abdi's story and
25 Abdirahman's story, so Abdi would update his story, and it

1 showed a video of him in Syria, I believe it was in the city
2 of Raqqa, multiple videos, multiple pictures of him. And in
3 return, Abdirahman would update his Snapchat so they could
4 see what each other is doing.

5 Q. And did you actually see that yourself?

6 A. Yes.

7 Q. All right. Was that in the car that day that you saw it
8 yourself?

9 A. Yes.

10 Q. And when you saw it in the car that day, did defendant
11 Daud tell you anything about how recently these pictures had
12 been uploaded or videos had been uploaded by Abdi Nur in
13 Raqqa, Syria?

14 A. It was that day.

15 Q. Okay. So this is all near simultaneous?

16 A. Yes.

17 Q. Once you got to paintball, who paid for the paintball?

18 A. Guled Omar, No. 13.

19 Q. And did you pay for anything or show any ID at the
20 paintball place?

21 A. I did not.

22 Q. Tell me about the game of paintball. I've never played.
23 What was it like?

24 A. It was my first time too.

25 Q. Okay.

1 A. It hurt when you get hit.

2 Q. Okay.

3 A. There was a lot of people there.

4 Q. Besides the people that had driven in the car with you,
5 was there anybody else on the face and name chart who was at
6 paintball who had come separately?

7 A. Yes.

8 Q. Who?

9 A. No. 1, Zacharia Abdurahman; No. 5, Adnan Farah; No. 6,
10 Mohamed Farah.

11 Q. Okay. And what sorts of things did you observe when the
12 paintball game was going on?

13 A. No. 14, Mohamed Roble, was there too.

14 Q. Oh, Mohamed Roble was also there, I'm sorry. When
15 people were playing paintball, when you all -- all the
16 people you talked about on one team?

17 A. For the most part, yes.

18 Q. All right. And was there anything about the paintball
19 that day that raised your eyebrows or that you thought was
20 kind of unusual?

21 A. Yes.

22 Q. All right. Can you tell us what it was that was unusual
23 about paintball that day?

24 A. There was a lot of yelling out certain things like
25 "allahu akbar" or stuff like that, and I found it weird to

1 be being said at a paintball setting.

2 Q. Okay. Were there other people who could hear this
3 stuff?

4 A. Yes.

5 Q. All right. People who aren't part of the group?

6 A. Yes.

7 Q. And what does "allahu akbar" mean?

8 A. God is great.

9 Q. Okay. Now, after paintball, moving forward to September
10 of 2014, did you meet the group at some time that month?

11 A. Yes.

12 Q. Okay. Can you tell us about who it was that you met
13 with? And then I'll ask you about the circumstances.

14 A. I can't -- can you be more specific?

15 Q. Sure. In September of 2014, did you meet face-to-face
16 with any members of the group?

17 A. Yes.

18 Q. Okay. Who did you, first question, who did you meet
19 with?

20 A. No. 1, Zacharia Abdurahman; No. 4, Abdirahman Daud;
21 No. 5, Adnan Farah; No. 6, Mohamed Farah; No. 11, Hanad
22 Musse; and No. 13, Guled Omar.

23 Q. Did you meet them all at the same time or did you meet
24 them on separate occasions?

25 A. I met them at the same time.

1 Q. All right. And where were you when this meeting
2 occurred?

3 A. Dar al-Farooq Como.

4 Q. What was it that -- tell me about the meeting, please.

5 A. So I got a text message from an attorney that was
6 representing me at the time, text message that said that get
7 ready to be arrested in a couple of weeks. I wanted to --
8 at the time that text message took me off-guard. I
9 wasn't -- I didn't expect to be arrested, so I shared it
10 with the group.

11 Q. And when you say you were at Dar al-Farooq Como,
12 whereabouts at Dar al-Farooq Como were you?

13 A. Inside the mosque.

14 Q. When you shared with the group, just tell us, one at a
15 time, what the reactions of the members of the group were to
16 this text message about you potentially getting arrested.

17 A. No. 1, Zacharia Abdurahman; No. 4, Abdirahman Daud;
18 No. 5, Adnan Farah; No. 6, Mohamed Farah; No. 11, Hanad
19 Musse. They were all in agreement that I should leave.
20 No. 13, Guled Omar, told me I should stay.

21 Q. Who did you think -- which side of that argument did you
22 think was right?

23 A. The bigger side, everyone against Guled. I thought I
24 should leave.

25 Q. And so as a result of deciding that you should leave,

1 what did you -- did you take any action?

2 A. Yes.

3 Q. All right. And when you say that you should leave,
4 leave for where?

5 A. To go to Syria.

6 Q. So tell us about what you did in order to go to Syria
7 now in September of 2014.

8 A. September/October.

9 Q. Okay.

10 A. I went to -- so I started plotting again to leave the
11 United States. It was me; No. 4, Abdirahman Daud; No. 5,
12 Adnan Farah; No. 6, Mohamed Farah, in a group together, and
13 we were going to leave together.

14 Q. All right. And let's just break that down then one at a
15 time. You say "we were going to leave together," what
16 does -- what does that mean? What -- what was the plan, I
17 guess?

18 A. To either go through Mexico or some country in South
19 America or go through Canada.

20 Q. Why were you going to go either through Canada or Mexico
21 and not just leave through the -- by going to an American
22 airport?

23 A. We all considered each other hot in the eyes of law
24 enforcement.

25 Q. Let's take these individuals up in turn. What did

1 Zacharia Abdurahman, No. 1, what did he say about this plan
2 to leave by Canada or Mexico?

3 A. He was not a part of the --

4 Q. I'm sorry. Who was the -- my bad. Who was the first
5 person that was a part of the group in September of 2014?

6 A. The group formed after I told them about my situation.

7 Q. All right.

8 A. So we all joined at the same time.

9 Q. All right. So what was Abdirahman Daud's, what was his
10 advice to you about leaving?

11 A. That how could I think -- how could I fool myself into
12 thinking that I could live here; that the west is sort of
13 the enemy; that they would arrest me; that I had to leave.
14 His plans were, like I said, to -- he wanted to go through
15 either Canada or Mexico.

16 Q. And what about you said that No. 13, defendant Guled
17 Omar, was in favor of you staying in the United States. Is
18 that correct?

19 A. That's correct.

20 Q. And that No. 6, Mohamed Farah, was in favor of you
21 leaving. Is that correct?

22 A. That's correct.

23 Q. What did defendant Mohamed Farah say about you leaving
24 the United States?

25 A. I can't remember the specific thing he said, but he was

1 in agreement with me.

2 Q. Did he have a specific plan for getting out of the
3 United States?

4 A. Not that I remember.

5 THE COURT: Let's stop here. We'll recess until
6 Monday morning at 9 o'clock.

7 (Jury out at 4:02 p.m.)

8 THE COURT: Please be seated. All right.
9 Anything that we have to discuss before Monday morning?

10 MR. WINTER: Nothing from the government, Your
11 Honor.

12 MR. MOHAMMAD: Nothing from Mr. Farah.

13 MR. NESTOR: Your Honor, I think there's -- I know
14 the Court has a -- I'm sorry.

15 I believe that the Court still has under
16 advisement part of the government's motion for to limit
17 impeachment of Mr. Yusuf regarding some incidents that has
18 already been ruled upon and just I didn't know if the Court
19 was planning on issuing that over the weekend so I assume we
20 get to the cross-examination of Mr. Yusuf on Monday. That
21 would be the only thing.

22 THE COURT: The part that's under advisement he
23 hasn't testified to yet, right?

24 MR. NESTOR: Your Honor, you're paying better
25 attention than I am late on a Friday.

1 THE COURT: So we'll have to wait until he
2 testifies to it, if he does testify to it. All right?

3 Anything else for the defense, Mr. Bruder?

4 MR. BRUDER: Nothing from my perspective, Your
5 Honor.

6 THE COURT: All right. All right. Have a good
7 weekend.

8 (Proceedings concluded at 4:03 p.m.)

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C E R T I F I C A T E

I, Staci A. Heichert, certify that the foregoing is
a correct transcript from the record of proceedings in the
above-entitled matter.

Certified by: s/ Staci A. Heichert

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